

# भारत का राजपत्र The Gazette of India

प्राधिकार से प्रकाशित  
PUBLISHED BY AUTHORITY

सं. 8]

नई दिल्ली, शनिवार, फरवरी 22, 2003/फाल्गुन 3, 1924

No. 8]

NEW DELHI, SATURDAY, FEBRUARY 22, 2003/PHALGUNA 3, 1924

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके  
Separate Paging is given to this Part in order that it may be filed as a separate compilation

भाग II—खण्ड 3—उप-खण्ड (ii)  
PART II—Section 3—Sub-section (ii)

भारत सरकार के मंत्रालयों (रक्षा मंत्रालय को छोड़कर) द्वारा जारी किए गए सांविधिक आदेश और अधिसूचनाएं  
Statutory Orders and Notification Issued by the Ministries of the Government of India  
(Other than the Ministry of Defence)

वित्त एवं कम्पनी कार्य मंत्रालय  
(राजस्व विभाग)

आदेश

नई दिल्ली, 11 फरवरी, 2003

का. आ. 594.—अतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उप-धारा के अधीन आदेश फाइल सं० 673/57/2002-सी.यू.एस. VIII दिनांक 24-12-2002 को जारी किया और यह निर्देश दिया कि श्री अतीक रहमान, सुपुत्र स्वर्गीय श्री एम.ए. अजीज, निवासी मकान नं० 18-18-71, राजाराम स्ट्रीट, आनन्दपेट, गुंटूर, आन्ध्र प्रदेश को निरुद्ध कर लिया जाए और केन्द्रीय कारागार, नेल्लोर, में अभिरक्षा में रखा जाए ताकि उन्हें भविष्य में चीजों की तस्करी करने से रोका जा सके।

2. अतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को छिपा रखा है जिससे यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्द्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस उप-महानिरीक्षक, गुंटूर, आन्ध्र प्रदेश के सम्मुख उपस्थित हो।

[फ. सं० 673/57/2002-सी.यू.एस. VIII]

एन. राजगोपालन, अवर सचिव (कोफेपोसा)

MINISTRY OF FINANCE AND COMPANY AFFAIRS  
(Department of Revenue)

ORDER

New Delhi, the 11th February, 2003

S.O. 594.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/57/2002-Cus. VIII dated 24-12-2002 under the said sub-section directing that Shri Ateeq Rahman, S/o Late Shri M.A. Azeez, R/o House No. 18-18-71, Rajaram Street, Anandpet, Guntur, Andhra Pradesh be detained and kept in custody in the Central Jail, Nellore with a view to preventing him from smuggling goods in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed.

3. Now, therefore, in exercise of the powers conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Deputy Inspector General of Police, Guntur within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/57/2002-Cus. VIII]

N. RAJAGOPALAN, Under Secy. (COFEPOSA)

**आदेश**

नई दिल्ली, 11 फरवरी, 2003

का. आ. 595.—अतः संयुक्त सचिव, भारत सरकार जिन्हें विदेशी मुद्रा संरक्षण और तस्करी निवारण अधिनियम, 1974 (1974 का 52) की धारा 3 की उपधारा (1) के अन्तर्गत विशेष रूप से शक्ति प्रदान की गई है, ने उक्त उप-धारा के अधीन आदेश फाइल सं० 673/50/2002-सी.यू.एस. VIII दिनांक 30-10-2002 को जारी किया और यह निर्देश दिया कि श्री तरुण खुराना, निवासी 11-बी, डी.डी.ए. फ्लैट्स, शाहपुर जाट, नई दिल्ली को निरुद्ध कर लिया जाए और केन्द्रीय कारागार, तिहाड़, नई दिल्ली में अभिरक्षा में रखा जाए ताकि उन्हें भविष्य में चीजों की तस्करी करने से रोका जा सके।

2. अतः केन्द्रीय सरकार के पास यह विश्वास करने का कारण है कि पूर्वोक्त व्यक्ति फरार हो गया है या स्वयं को छिपा रखा है जिससे यह आदेश निष्पादित नहीं किया जा सकता।

3. अतः अब उक्त अधिनियम की धारा 7 की उप-धारा (1) के खण्ड (ख) द्वारा प्रदत्त शक्ति का प्रयोग करते हुए केन्द्रीय सरकार एतद्वारा पूर्वोक्त व्यक्ति को यह निर्देश देती है कि वह शासकीय राजपत्र में इस आदेश के प्रकाशित होने के 7 दिन के भीतर पुलिस आयुक्त, दिल्ली के सम्मुख उपस्थित हो।

[फा. सं० 673/50/2002-सी.यू.एस. VIII]

वी. के. खन्ना, अवर सचिव (कोफेपोसा)

**ORDER**

New Delhi, the 11th February, 2003

S.O. 595.—Whereas the Joint Secretary to the Government of India, specially empowered under sub-section (1) of Section 3 of the Conservation of Foreign Exchange and Prevention of Smuggling Activities Act, 1974 (52 of 1974) issued order F. No. 673/50/2002-Cus. VIII dated 30-10-2002 under the said sub-section directing that Shri Tarun Khurana, R/o 11-B, DDA Flats, Shahpur Jat, New Delhi be detained and kept in custody in the Central Jail, Tihar, New Delhi with a view to preventing him from smuggling goods in future.

2. Whereas the Central Government has reasons to believe that the aforesaid person has absconded or is concealing himself so that the order cannot be executed.

3. Now, therefore, in exercise of the powers conferred by Clause (b) of sub-section (1) of Section 7 of the said Act, the Central Government hereby directs the aforesaid person to appear before the Commissioner of Police, Delhi within 7 days of the publication of this order in the Official Gazette.

[F. No. 673/50/2002-Cus. VIII]

V. K. KHANNA, Under Secy. (COFEPOSA)

केन्द्रीय प्रत्यक्ष कर बोर्ड

नई दिल्ली, 28 जनवरी, 2003

(आयकर)

का. आ. 596.—सामान्य जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार अधोलिखित संगठन को उनके नाम के सामने उल्लिखित अवधि, के लिए आयकर नियमावली, 1962 के नियम 6 के साथ पठित आयकर अधिनियम, 1961 की धारा 35 की उपधारा

(i) के खंड (ii) के प्रयोजनार्थ संस्थान श्रेणी के अन्तर्गत निम्नलिखित शर्तों के अधीन अनुमोदित करती है :—

- (i) अधिसूचित संस्थान अपने अनुसंधान कार्यकलापों के लिए अलग लेखा बहियों का रख-रखाव करेगा,
- (ii) अधिसूचित संस्थान प्रत्येक वित्तीय वर्ष के लिए अपनी वैज्ञानिक अनुसंधान गति-विधियों की वार्षिक रिटर्न प्रत्येक 31 मई को अथवा उससे पहले सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग "टेक्नोलॉजी भवन" न्यू महारौली रोड, नई दिल्ली-110016 को प्रस्तुत करेगा,
- (iii) अधिसूचित संस्थान केन्द्र सरकार की तरफ से नामोदित निर्धारण अधिकारी को आयकर की विवरणी प्रस्तुत करने के अतिरिक्त अपने लेखा परीक्षित वार्षिक लेखों की एक प्रति तथा अपने अनुसंधान कार्यकलापों जिसके लिए आयकर अधिनियम, 1961 की धारा 35 की उपधारा (1) के अन्तर्गत छूट प्रदान की गई थी, के संबंध में आय एवं व्यय खाते की लेखा परीक्षा की भी एक प्रति संस्था पर अधिकार क्षेत्र वाले (क) आयकर महानिदेशक (छूट) 10 मिडिलटन रॉ, पांचवा तल, कलकत्ता-700071 (ख) सचिव, वैज्ञानिक एवं औद्योगिक अनुसंधान विभाग तथा (ग) आयकर आयुक्त/आयकर निदेशक (छूट) को प्रत्येक वर्ष 31 अक्टूबर को अथवा उससे पहले प्रस्तुत करेगा।

क्रम सं.	अनुमोदित संगठन का नाम	अवधि जिसके लिए अधिसूचना प्रभावी है
1.	यूनिवर्सिटी आफ पेन सिलवेनिया इंस्टीट्यूट फर द एडवांस्ड स्टडी आफ इंडिया, इंडिया हैबीटाट सेन्टर, कोर 5ए, प्रथम तल, लोदी रोड, नई दिल्ली-110003	1-4-2001 से 31-3-2004 तक

टिप्पणी :— अधिसूचित संस्थान को सलाह दी जाती है कि वे अनुमोदन के नवीकरण के लिए तीन प्रतियों में और पहले ही अधिकार क्षेत्र वाले आयकर आयुक्त/आयकर निदेशक (छूट) के माध्यम से केन्द्र सरकार को आवेदन करें। अनुमोदन के नवीकरण के लिए आवेदन पत्र की तीन प्रतियां सचिव, वैज्ञानिक और औद्योगिक अनुसंधान विभाग को सीधे भेजी जाएंगी।

[अधिसूचना सं. 26/2003/फा.सं. 203/64/2002-आई.टी.ए.-II]

संगीता गुप्ता, निदेशक (आई. टी. ए.-II)

**CENTRAL BOARD OF DIRECT TAXES**

New Delhi, the 28th January, 2003

(Income-Tax)

S. O. 596.—It is hereby notified for general information that the organisations mentioned below have been approved by the Central Government for the period mentioned against their names, for the purpose of clause

(iii) of sub-section (1) of Section 35 of the Income Tax Act, 1961, read with Rule 6 of the Income-tax Rules, 1962 under the category "Institution" subject to the following conditions :—

- (i) The notified Institution shall maintain separate books of accounts for its research activities;
- (ii) The notified Institution shall furnish the Annual Return of its Scientific Research Activities to the Secretary, Department of Scientific and Industrial Research, "Technology Bhawan", New Mehrauli Road, New Delhi-110016 for every financial year on or before 31st May of each year;
- (iii) The notified Institution shall submit, on behalf of the Central Government, to (a) the Director General of Income Tax (Exemptions), 10 Middleton Row, 5th Floor, Kolkata-700071 (b) the Secretary, Department of Scientific and Industrial Research, and (c) the Commissioner of Income Tax/Director of Income Tax (Exemptions), having jurisdiction over the organisation, on or before the 31st October each year, a copy of its audited Annual Accounts and also a copy of audited Income and Expenditure Account in respect of its research activities for which exemption was granted under sub-section (1) of Section 35 of Income Tax Act, 1961 in addition to the return of Income Tax to the designated assessing officer.

S. No.	Name of the Organisation approved	Period for which Notification is effective
1.	University of Pennsylvannia Institute for the Advanced Study of India, India Habitat Centre, Core 5A, 1st Floor, Lodi Road, New Delhi-110003.	1-4-2001 to 31-3-2004

**Note:** The notified Institution is advised to apply in triplicates and well in advance for renewal of the approval, to the Central Government through the Commissioner of Income Tax/Director of Income Tax (Exemptions) having jurisdiction. Three copies of application for renewal of approval shall also be sent directly to the Secretary, Department of Scientific and Industrial Research.

[Notification No. 26/2003/F.No. 203/64/2002/ITA-II]  
SANGEETA GUPTA, Director (ITA-II)

नई दिल्ली, 28 जनवरी, 2003

**का. आ. 597.**—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23-छ) के प्रयोजनार्थ कर निर्धारण वर्ष 2002-2003, 2003-2004 तथा 2004-2005

के लिए नीचे पैरा 3 में उल्लिखित उद्यम/औद्योगिक उपक्रम को अनुमोदित करती है।

2. यह अनुमोदन इस शर्त के अधीन है कि :—

- (i) उद्यम/औद्योगिक उपक्रम आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा (23-छ) के उपबंधों के अनुरूप होगा और उनका अनुपालन करेगा;
- (ii) केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि उद्यम/औद्योगिक उपक्रम :
  - (क) अवसंरचनात्मक सुविधा को जारी रखना बंद कर देता है; और
  - (ख) खाता बहियों का रख-रखाव नहीं करता है तथा आयकर नियमावली, 1962 के नियम 2ड के उप-नियम (7) द्वारा यथा अपेक्षित किसी लेखाकार द्वारा ऐसे खातों की लेखा परीक्षा नहीं कराता है, अथवा
  - (ग) आयकर नियमावली, 1962 के नियम 2ड के उप-नियम (7) द्वारा यथा अपेक्षित लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करता है।

3. अनुमोदित उद्यम/औद्योगिक उपक्रम है :—मैसर्स आन्ध्र एक्सप्रेस वे लिमिटेड, पुंज लॉयड हाउस, 17-18, नेहरू प्लेस, नई दिल्ली-110019 उनकी परियोजना बी ओ टी आधार पर आन्ध्र प्रदेश में राष्ट्रीय राजमार्ग-5 पर धर्मावरम-तूनी प्रखण्ड पर मौजूदा दो लेनों को 253/0 किलोमीटर से 300/0 किलोमीटर तक लम्बा करना और उस पर बने दोहरे कैरेज वे को 4 लेन तक चौड़ा करना है।

[अधिसूचना सं. 24/2003/फा.सं. 205/15/2002-आयकर नि.-II]

संगीता गुप्ता, निर्देशक (आयकर नि.-II)

New Delhi, the 28th January, 2003

**S. O. 597.**—It is notified for general information that enterprise/industrial undertaking, listed at para (3) below has been approved by the Central Government for the purpose of Section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962, for the assessment years 2002-2003, 2003-2004 and 2004-2005.

2. The approval is subject to the condition that :—

- (i) the enterprise/industrial undertaking will conform to and comply with the provisions of Section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962;
- (ii) the Central Government shall withdraw this approval if the enterprise/industrial undertaking :—
  - (a) ceases to carry on infrastructure facility; or
  - (b) fails to maintain books of account and get such accounts audited by an

accountant as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962; or

- (c) fails to furnish the audit report as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962.

3. The enterprise/industrial undertaking approved is :—

M/s. Andhra Expressway Ltd., Punj Lloyd House, 17-18, Nehru Place, New Delhi-110019 their project of strengthening of the existing 2 lanes from Km. 253/0 to Km. 300/0 and widening thereof to 4 lane dual carriageway on Dharmavaram-Tuni section on NH 5 in Andhra Pradesh on BOT basis.

[Notification No. 24/2003/F. No. 205/15/2002-ITA-II]

SANGEETA GUPTA, Director (ITA-II)

नई दिल्ली, 28 जनवरी, 2003

का. आ. 598.—सर्वसाधारण की जानकारी के लिए यह अधिसूचित किया जाता है कि केन्द्र सरकार आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23-छ) के प्रयोजनार्थ कर निर्धारण वर्ष 2002-2003, 2003-2004 तथा 2004-2005 के लिए नीचे पैरा 3 में उल्लिखित उद्यम/औद्योगिक उपक्रम को अनुमोदित करती है।

2. यह अनुमोदन इस शर्त के अधीन है कि :—

- (i) उद्यम/औद्योगिक उपक्रम आयकर नियमावली, 1962 के नियम 2ड के साथ पठित आयकर अधिनियम, 1961 की धारा 10(23-छ) के उपबंधों के अनुरूप होगा और उनका अनुपालन करेगा;
- (ii) केन्द्र सरकार यह अनुमोदन वापिस ले लेगी यदि उद्यम/औद्योगिक उपक्रम :
- (क) अवसंरचनात्मक सुविधा को जारी रखना बंद कर देता है; और
- (ख) खाता बहियों का रख-रखाव नहीं करता है तथा आयकर नियमावली, 1962 के नियम 2ड के उप-नियम (7) द्वारा यथा अपेक्षित किसी लेखाकार द्वारा ऐसे खातों की लेखा परीक्षा नहीं कराता है, अथवा
- (ग) आयकर नियमावली, 1962 के नियम 2ड के उप-नियम (7) द्वारा यथा अपेक्षित लेखा परीक्षा रिपोर्ट प्रस्तुत नहीं करता है।

3. अनुमोदित उद्यम/औद्योगिक उपक्रम है :—मैसर्स एल एंड टी इन्फोसिटी लि०, 1-क्यू-4 ए 1, प्रथम तल, साइबर टावर्स, हार्डटेक सिटी, माधापुर, हैदराबाद-500081 को वित्त मंत्रालय द्वारा दिनांक 22-5-2001 की अधिसूचना सं. 130/2002 में यथा अधिसूचित माधापुर गाँव, जिला रंगा रेड्डी, आन्ध्र प्रदेश साफ्टवेयर सप्लाय सेवाओं, व्यापार और प्रबंध, तकनीकी परामर्शदात्री सेवाओं का कार्य करने वाले एक औद्योगिक पार्क के विकास, अनुरक्षण और प्रचालन की उनकी परियोजना।

[अधिसूचना सं. 25/2003/फा.सं. 205/43/2001-आयकर नि.-II]

संगीता गुप्ता, निदेशक (आयकर नि.-II)

New Delhi, the 28th January, 2003

S. O. 598.—It is notified for general information that enterprise/industrial undertaking, listed at para (3) below has been approved by the Central Government for the purpose of Section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962, for the assessment years 2002-2003, 2003-2004 and 2004-2005.

2. The approval is subject to the condition that :—

- (i) the enterprise/industrial undertaking will conform to and comply with the provisions of Section 10(23G) of the Income-tax Act, 1961, read with rule 2E of the Income-tax Rules, 1962;
- (ii) the Central Government shall withdraw this approval if the enterprise/industrial undertaking :—
- (a) ceases to carry on infrastructure facility; or
- (b) fails to maintain books of account and get such accounts audited by an accountant as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962; or
- (c) fails to furnish the audit report as required by sub-rule (7) of rule 2E of the Income-tax Rules, 1962.

3. The enterprise/industrial undertaking approved is :—

M/s. L&T Infocity Ltd., 1-Q4-A1, 1st Floor, Cyber Towers, HITEC City, Madhapur, Hyderabad-500081 for their project of development, maintenance and operation of an industrial park dealing with Software supply services, Business and Management, Technical consultancy services in Madhapur Village, Distt. Ranga Reddy, Andhra Pradesh as notified in Notification No. 130/2001 dated 22-5-2001 issued by the Ministry of Finance.

[Notification No. 25/2003/F. No. 205/43/2001-ITA-II]

SANGEETA GUPTA, Director (ITA-II)

(आर्थिक कार्य विभाग)

(बैंकिंग प्रभाग)

नई दिल्ली, 6 फरवरी, 2003

का. आ. 599.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, घोषणा करती है कि उक्त अधिनियम की धारा 19 की उप-धारा (2) के उपबन्ध पंजाब एंड सिंध बैंक, नई दिल्ली पर 21 जनवरी, 2005 तक और दो वर्ष की अवधि के लिए लागू नहीं होंगे जहां तक उनका संबंध गिस्तीयार के रूप में मैसर्स इण्डियन मेसिंस इंडिया लि. की 30 प्रतिशत से अधिक की चुक्का शेयर पूंजी में कंपनी के शेयरों में उस की भागिदा से हैं।

[सं० 15/1/98-बीओए]

डी० चौधरी, अपर सचिव

(Department of Economic Affairs)

(Banking Division)

New Delhi, the 6th February, 2003

S. O. 599.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of the Reserve Bank of India hereby declares that the provisions of Sub-section (2) of Section 19 of the said Act shall not apply to Punjab and Sind Bank, New Delhi for a further period of two years upto 21st January, 2005 in so far as they relate to its holding of the shares of M/s. Dynamatic Forgings India Ltd. in excess of 30% of the paid-up share capital of the company as pledgee.

[F.No.15/1/98-BOA]

D. CHOUDHURY, Under Secy.

नई दिल्ली, 6 फरवरी, 2003

का. आ. 600.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, घोषणा करती है कि बैंककारी विनियमन अधिनियम, 1949 की धारा 15 की उपधारा (1) के उपबंध उस सीमा तक द सार्वजनिक इंडियन बैंक पर लागू नहीं होंगे, जहां तक उसका संबंध स्वैच्छिक सेवानिवृत्ति योजना से संबंधित व्यय को वित्तीय वर्ष 2003-2004 से 2007-2008 तक के लिए आस्थगित राजस्व व्यय माने जाने से है।

[सं० 13/3/2003-बीओए]

डी० चौधरी, अवर सचिव

New Delhi, the 6th February, 2003

S. O. 600.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendation of Reserve Bank of India, hereby declares that the provisions of Sub-section (1) of Section 15 of the Banking Regulation Act, 1949 shall not apply to The South Indian Bank in so far as treatment of the expenditure related to the Voluntary Retirement Scheme being treated as Deferred Revenue Expenditure, for the financial years 2003-2004 to 2007-2008.

[F.No.13/3/2003-BOA]

D. CHOUDHURY, Under Secy.

नई दिल्ली, 10 फरवरी, 2003

का. आ. 601.—बैंककारी विनियमन अधिनियम, 1949 (1949 का 10) की धारा 53 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, भारतीय रिजर्व बैंक की सिफारिश पर, एतद्वारा, यह घोषणा करती है कि उक्त अधिनियम की धारा 10ख की उपधारा (9) के उपबंध धनलक्ष्मी बैंक लि० पर, जिस सीमा तक बैंक को चार महीने

से अधिक की अवधि के लिए किसी व्यक्ति को अध्यक्ष और मुख्य कार्यपालक अधिकारी का कार्य करने हेतु नियुक्त करने से रोकती हैं दिनांक 5 फरवरी, 2003 से 4 मई 2003 तक या उस बैंक के लिए नियमित अध्यक्ष और मुख्य अधिकारी की नियुक्ति होने तक, जो भी पहले हो, लागू नहीं होंगे।

[फा० सं० 13/4/2003-बीओए]

डी० चौधरी, अवर सचिव

New Delhi, the 10th February, 2003

S.O. 601.—In exercise of the powers conferred by Section 53 of the Banking Regulation Act, 1949 (10 of 1949) the Central Government on the recommendations of the Reserve Bank of India, hereby declare that the provisions of sub-section (9) of Section 10B of the said Act shall, not to the extent they preclude the bank from appointing a person to carry out the duties of the Chairman and Chief Executive Officer beyond a period exceeding four months, apply to the Dhanalakshmi Bank Ltd. from 5th February, 2003 to 4th May 2003 or till the appointment of a regular Chairman and Chief Officer for that bank, whichever is earlier.

[F.No. 13/4/2003-BOA]

D. CHOUDHURY, Under Secy.

भारी उद्योग एवं लोक उद्यम मंत्रालय

(भारी उद्योग विभाग)

(एईआई अनुभाग)

नई दिल्ली, 10 फरवरी, 2003

का. आ. 602.—विकास परिषद (प्रक्रियात्मक) नियम 1952 के 2.3.4 एवं 5 नियम के साथ पठित औद्योगिक (विकास एवं विनियमन) अधिनियम, 1951 (1951 का 65) के अनुबंध 8 द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्र सरकार, एतद्वारा निम्नलिखित व्यक्तियों को अधिकारिक राजपत्र में इस आदेश के प्रकाशन की तिथि से प्रभावी 2 वर्ष की अवधि के लिए ऑटोमोबाईल एवं सहायक उद्योग विकास परिषद का सदस्य नियुक्त करती है :—

(क) व्यक्ति जो अनुसूचित उद्योग के तकनीकी या अन्य स्वरूपों से संबंधित मामले में विशेष जानकारी रखते हैं :—

1. सचिव, भारत सरकार  
भारी उद्योग विभाग,  
भारी उद्योग एवं लोक उद्यम मंत्रालय,  
उद्योग भवन, नई दिल्ली। —अध्यक्ष
2. संयुक्त सचिव, प्रदूषण नियंत्रण  
पर्यावरण एवं वन मंत्रालय,  
नई दिल्ली। —सदस्य
3. सलाहकार (उद्योग एवं मिनरल्स)  
योजना आयोग  
नई दिल्ली। —सदस्य

- |  |   |            |  |   |       |
|--|---|------------|--|---|-------|
| 4. संयुक्त सचिव (टेक्स रिसर्च यूनिट)<br>सेन्ट्रल बोर्ड ऑफ एक्साईज एंड कस्टम,<br>वित्त मंत्रालय नई दिल्ली।  | — | सदस्य      | 15. श्री अभय एन. फिरोडिया<br>अध्यक्ष एवं प्रबन्ध निदेशक<br>बजाज टेम्पो लि. मुम्बई-पुणे रोड,<br>आकुर्डी, पुणे-411035  | — | सदस्य |
| 5. संयुक्त सचिव (परिवहन)<br>सड़क परिवहन एवं राजमार्ग मंत्रालय,<br>नई दिल्ली।   | — | सदस्य      | 16. श्री बाबा एन. कल्याणी<br>अध्यक्ष एवं प्रबन्ध निदेशक,<br>भारत फोर्ज लि.<br>मुन्धवा, पुणे-411036   | — | सदस्य |
| 6. संयुक्त सचिव (ईंधन संबंधी मामले)<br>पेट्रोलियम एवं प्रकृतिक गैस मंत्रालय,<br>नई दिल्ली।   | — | सदस्य      | 17. श्री जगदीश खट्टर<br>प्रबन्ध निदेशक<br>मारुति उद्योग लि.<br>जीवन प्रकाश, 11वीं मंजिल,<br>25, कस्तूरबा गांधी मार्ग,<br>नई दिल्ली-110001  | — | सदस्य |
| 7. संयुक्त सचिव (इनचार्ज ऑफ ऑटोमो-<br>बाइल) भारी उद्योग विभाग<br>भारी उद्योग एवं लोक उद्यम मंत्रालय,<br>नई दिल्ली।   | — | सदस्य सचिव | 18. श्री रमेश एल अदिजे<br>निदेशक<br>फियेट इण्डिया लि.<br>10, जीवनदीप बिल्डिंग,<br>संसद मार्ग, नई दिल्ली-110001   | — | सदस्य |
| 8. निदेशक<br>ऑटोमोटिव रिसर्च एसोसियेशन ऑफ इंडिया<br>पो. बाक्स नं. 832,<br>पुणे-411004.   | — | सदस्य      | 19. श्री एम. बी. लाल<br>अध्यक्ष एवं प्रबन्ध निदेशक<br>हिन्दुस्तान पेट्रोलियम कारपोरेशन लि.<br>पेट्रोलियम हाउस,<br>17, जमशेदजी टाटा रोड, चर्च गेट,<br>मुम्बई-400020                     | — | सदस्य |
| (ख) व्यक्ति जो अनुसूचित उद्योग में औद्योगिक उपक्रमों के<br>मालिकों के हितों का प्रतिनिधित्व करने में सक्षम हैं।  |   |            | 20. श्री टी. के. बालाजी,<br>मुख्य कार्यकारी तथा प्रबन्ध निदेशक<br>लुकास टीवी एस लि.<br>पाडो, चैन्ने-600 050  | — | सदस्य |
| 9. अध्यक्ष<br>सोसायटी फोर इंडियन ऑटोमोबाइल<br>मैनुफैक्चरर्स, कोर 4-बी, जोन-IV,<br>5वीं मंजिल, इंडिया हैबीटेट सेंटर,<br>लोदी रोड, नई दिल्ली-110003.         | — | सदस्य      | (ग) व्यक्ति जो अनुसूचित उद्योग या अनुसूचित उद्योगों के<br>समूह में औद्योगिक उपक्रमों में नियोजित व्यक्तियों के<br>हितों का प्रतिनिधित्व करने में सक्षम हैं।                            |   |       |
| 10. अध्यक्ष<br>ऑटोमोटिव कम्पोनेंट मैनुफैक्चरर्स<br>एसोसियेशन, कैपीटल कोर्ट, 6टी मंजिल<br>ओलोफ पाल्में मार्ग, मुनिरका,<br>नई दिल्ली-110067.                 | — | सदस्य      | 21. सुश्री देवयानी अशरा<br>अशरा एसोसियेट<br>तृतीय तल<br>11, ओल्ड पोस्ट ऑफिस स्ट्रीट,<br>कोलकता-700001  | — | सदस्य |
| 11. अध्यक्ष<br>ट्रैक्टर मैनुफैक्चरर्स एसोसियेशन,<br>23, 26, इन्स्टीच्यूशनल एरिया,<br>लोदी रोड, नई दिल्ली-110003.   | — | सदस्य      | (घ) व्यक्ति जो उपरोक्त किसी भी श्रेणियों से संबंधित नहीं हैं<br>और जो अनुसूचित उद्योग द्वारा निर्मित या उत्पादित सामानों<br>के उपभोक्ताओं के हितों का प्रतिनिधित्व करने में सक्षम हैं। |   |       |
| 12. श्री रतन एन. टाटा<br>अध्यक्ष,<br>टेल्को बाम्बे हाऊस,<br>24, होमी भाडो स्ट्रीट,<br>हुतात्मा चौक, मुम्बई-400001.   | — | सदस्य      | 22. कार्यकारी निदेशक<br>एसोसियेशन ऑफ स्टेट रोड<br>ट्रांसपोर्ट अंडरटैकिंग्स, 7/6, सिरीफोर्ट<br>इन्स्टीच्यूशनल एरिया, खेल गांव मार्ग,<br>नई दिल्ली-110049                                | — | सदस्य |
| 13. श्री राहुल बजाज<br>अध्यक्ष एवं प्रबन्ध निदेशक<br>बजाज आटो लि., मुम्बई-पुणे रोड,<br>आकुर्डी, पुणे-411035.   | — | सदस्य      |  |   |       |
| 14. श्री ब्रिज मोहन लाल मुंजाल<br>अध्यक्ष एवं प्रबन्ध निदेशक<br>हीरो होंडा मोटर्स लिमिटेड,<br>34, सामुदायिक केन्द्र,<br>बंसत लोक बंसत विहार,<br>नई दिल्ली। | — | सदस्य      |  |   |       |

23. प्रो. भूषण के. पटवर्धन, — सदस्य  
20, अंलकार सोसायटी,  
कार्जे नगर, पुणे-411052
24. श्री विनय कुन्दनलाल वासन, — सदस्य  
गुरु नानक हाउस,  
न्यू एरिया रोड, नासिक,  
महाराष्ट्र-422 002
25. डॉ राजेन्द्र आर सिंह — सदस्य  
4, वासवानी मेन्शन 120,  
दिनशा वाचा रोड, चर्च गेट,  
मुंबई-400 020.
2. विकास परिषद (प्रक्रियात्मक) नियम 1952 के नियम-2 के खण्ड (ग) के अनुसरण में केन्द्रीय सरकार भारी उद्योग एवं लोक उद्यम मंत्रालय के ऑटोमोबाईल कार्यभार के लिए प्रभारी संयुक्त सचिव को एतद्वारा उक्त विकास परिषद के सचिव के कार्यों को देखने के लिए नियुक्त करती है।

[ फा० सं० 7/2/2002-एईआई ]

एस. बी. भावे, संयुक्त सचिव

# MINISTRY OF HEAVY INDUSTRIES AND PUBLIC ENTERPRISES

(Department of Heavy Industry)

(AEI Section)

New Delhi, the 10th February, 2003

S. O. 602.—In exercise of the powers conferred by Section 6 of the Industries (Development & Regulation) Act 1951(65 of 1951) read with rules 2, 3, 4 & 5 of the Development Council (Procedural) Rules, 1952 the Central Government hereby appoints for a period of two years from the date of publication of this Order in the Office Gazette the following persons to be Members of the Development for Automobiles and Allied Industries namely :—

## A. Person having special knowledge of matter relating to the technical or other aspects of the scheduled industry.

1. Secretary to the Government of India —Chairman  
Department of Heavy Industry  
Ministry of Heavy Industries & Public  
Enterprises  
Udyog Bhavan, New Delhi.
2. Joint Secretary (Pollution Control) —Member  
Ministry of Environment & Forest  
New Delhi.
3. Adviser (Industry and Minerals) —Member  
Planning Commission, New Delhi.
4. Joint Secretary (Tax Research Unit) —Member  
Central Board of Excise & Customs,  
Ministry of Finance,  
North Block, New Delhi.
5. Joint Secretary (Transport), —Member  
Ministry of Road Transport &  
Highways  
Transport Bhavan, New Delhi.

6. Joint Secretary (Fuel Matters) —Member  
Ministry of Petroleum & Natural Gas  
Shastri Bhavan, New Delhi.
  7. Joint Secretary (in-charge of automobiles) —Member-  
Secretary  
Deptt. of Heavy Industry  
Ministry of Heavy  
Industries & Public Enterprises,  
New Delhi.
  8. Director, —Member  
Automotive Research Associ-  
ation of India, Post Box No. 832,  
Pune-411 004.
- B. Persons capable of representing the interests of owners of Industrial Undertakings in the scheduled industry.**
9. President, —Member  
Society of Indian Automobile Manufacturers,  
Core 4-B, Zone-IV, 5th Floor, India Habitat Centre,  
Lodhi Road, New Delhi-110 003
  10. President, Automotive Component —Member  
Manufacturers Association, Capital Court,  
6th Floor, Olof Palme Marg, Munirka,  
New Delhi-67.
  11. President, —Member  
Tractor Manufacturers Association  
23-26, Institutional Area,  
Lodhi Road, New Delhi.
  12. Shri Ratan N. Tata, —Member  
Chairman, TELCO, Bombay House,  
24, Homi Mody Street, Hutatma  
Chowk, Mumbai-400001.
  13. Shri Rahul Bajaj, —Member  
Chairman & Managing Director  
Bajaj Auto Ltd, Mumbai-Pune Road,  
Akurdi, Pune-411 035.
  14. Shri Brij Mohan Lall Munjal —Member  
Chairman & Managing Director Hero  
Honda Motors Ltd, 34, Community  
Centre, Basant Lok, Vasant Vihar,  
New Delhi.
  15. Shri Abhay N. Firodia, —Member  
Chairman and Managing Director  
Bajaj Tempo Ltd, Mumbai-Pune  
Road, Akurdi, Pune-411 035.
  16. Shri Baba N. Kalyani, —Member  
Chairman and Managing Director,  
Bharat Forge Limited, Mundhwa,  
Pune-411 036.

17. Shri Jagdish Khattr, —Member  
Managing Director,  
Maruti Udyog Limited, Jeevan Prakash,  
11th Floor, 25, Kasturba Gandhi Marg,  
New Delhi-110001.
18. Mr. Ramesh L. Adige, —Member  
Director,  
Fiat India Limited,  
10, Jeevan Deep Building,  
Parliament Street, New Delhi.
19. Shri M.B. Lall —Member  
Chairman & Managing Director  
Hindustan Petroleum Corporation Ltd,  
Petroleum House, 17, Jashedji  
Tata Road, Churchgate  
Mumbai- 400 020.
20. Shri T.K. Balaji, —Member  
Chief Executive & Managing Director  
Lucas TVS Ltd,  
Padi, Chennai-600050
21. Miss Devyani Ashra —Member  
Ashra Associates 3rd Floor-11,  
Old Post Office Street,  
Kolkata-700001.
22. Executive Director, —Member  
Association of State Road Transport  
Undertakings, 7/6, Sirifort Institutional  
Area, Khel Gaon Marg,  
New Delhi-49.
23. Prof. Bhushan K. Patwardhan, —Member  
20, Alankar Society, Karve Nagar,  
Pune - 411 052.
24. Shri Vinay Kundanlal Wasan, —Member  
Gurunank House, New Area  
Road, Nashik, Maharashtra-422 002.
25. Dr. Rajendra R. Singh —Member  
4, Vaswani Mansions 120, Dinsha  
Vachha Road, Churchgate,  
Mumbai- 400 020.
2. In pursuance of clause (c) of rule 2 of the Development Council (Procedural) Rules, 1952, the Central Government hereby appoints the Joint Secretary, in charge of Automobile, Department of Heavy Industry, Ministry of Heavy Industries & Public Enterprises, New Delhi to carry on the functions of the Secretary to the said Development Council.
- [No.7(2)/2002-AEI]  
S. V. BHAVE, Jt. Secy.
- विदेश मंत्रालय**  
( सी.पी.वी. विभाग )  
नई दिल्ली, 31 जनवरी, 2003
- का. अ. 603.—राज्यधिक कौंसली अधिकारी ( शपथ एवं शुल्क ) अधिनियम 1948 ( 1948 का 41वां ) को धारा 2 के अंक (क) के अनुसार में केन्द्रीय सरकार एतद्वारा भारत का सहायक उच्चायोग बँडो में श्री एस.आर.एच. फहमी सहस्यक को 31-01-2003 से सहायक कौंसली अधिकारी का कार्य करने के लिए प्राधिकृत करती है।
- [सं० टी० 4330/01/2003]  
उपेन्द्र सिंह रावत, उप सचिव ( कान्सुलर )
- MINISTRY OF EXTERNAL AFFAIRS**  
(C.P. V. Division)  
New Delhi, the 31st January, 2003
- S. O. 603.—In pursuance of the clause (a) of the Section 2 of the Diplomatic and Consular Officers (Oaths and Fees) Act, 1948 (41 of 1948), the Central Government hereby authorise Shri S.R.H. Fahmi, Assistant in the Assistant High Commission of India, Kandy to perform the duties of Assistant Consular Officer with effect from 31-01-2003.
- [No. T. 4330/01/2003]  
U. S. Rawat, Under Secy. (Cons.)
- C. Persons capable of representing the interests of persons employed in Industrial Undertakings in the scheduled industry or group of scheduled industries.
- D. Persons not belonging to any of the aforesaid categories, who are capable of representing the interests of consumers of goods manufactured or produced by the scheduled industry.



## उपभोक्ता मामले, खाद्य और सार्वजनिक वितरण मंत्रालय

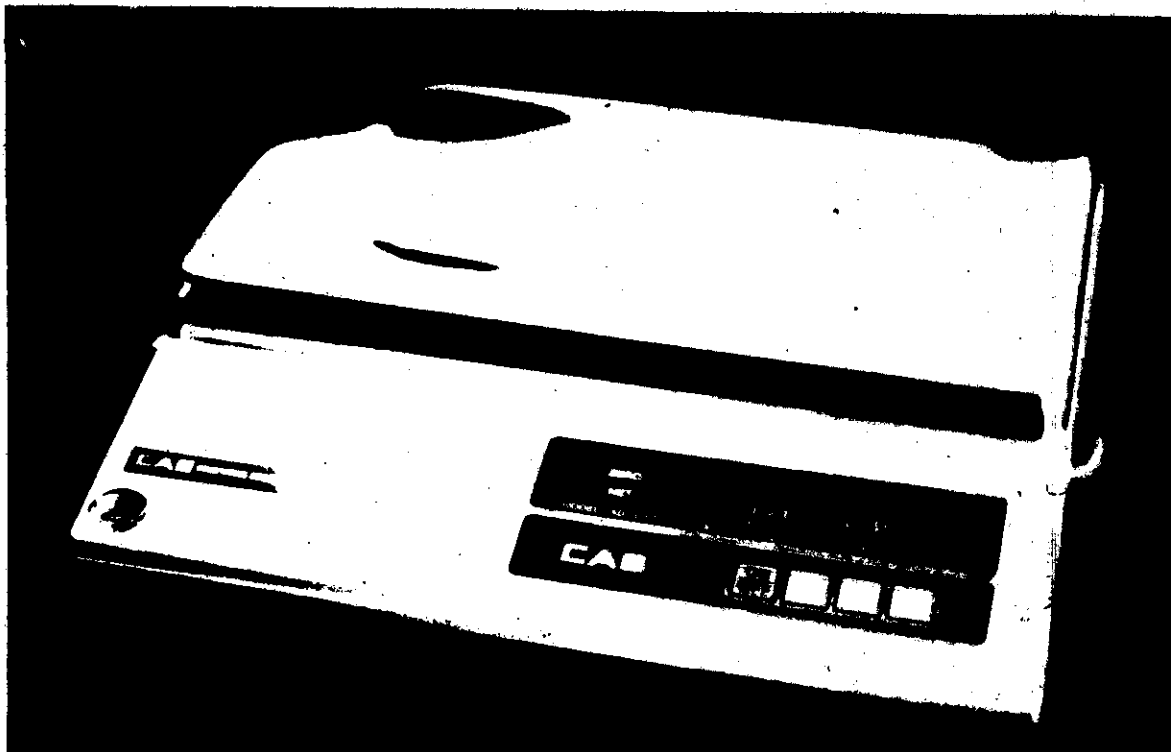
(उपभोक्ता मामले विभाग)

नई दिल्ली, 11 फरवरी, 2003

का. आ. 604.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सी ए एस वेइंग इन्डिया प्रा० लि०, 568, उद्योग विहार, फेज-5, गुडगांव-122016 (हरियाणा) द्वारा विनिर्मित उच्च मध्यम यथार्थता (यथार्थता वर्ग 2) वाले "ए डी" श्रृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सी ए एस" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2002/81 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

उक्त मॉडल (आकृति देखें) विकृति गेज भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि.ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2 ग्रा. है। इसमें एक आघेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आघेयतुलन प्रभाव है। निर्वात प्रदीप्ति शील प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एम) की संख्या 1 मि. ग्रा. से 50 मि. ग्रा. के "ई" मान के लिए 100 से 50,000 की रेंज में है और 100 मि. ग्रा. या इससे अधिक के "ई" मान के लिए 5000 से 50,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^6$ ,  $2 \times 10^6$ , या  $5 \times 10^6$  है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[सं० डब्ल्यू. एम.-21(191)/2000]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

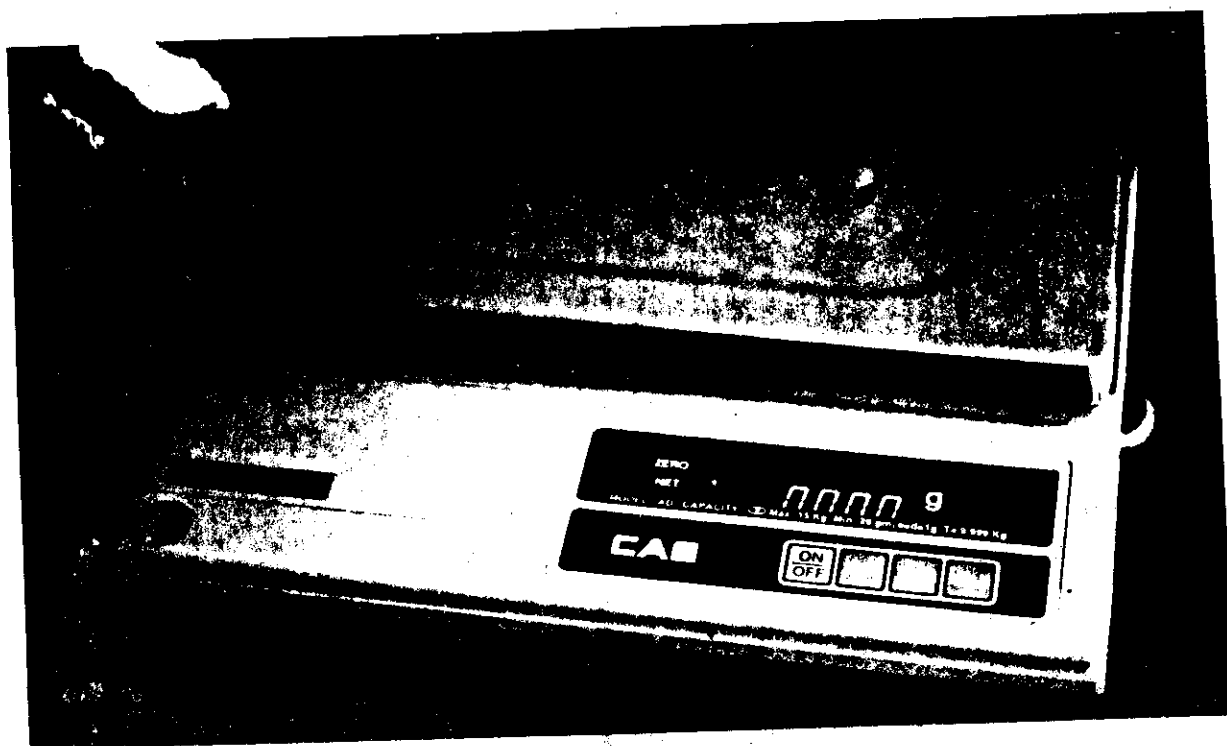
**MINISTRY OF CONSUMER AFFAIRS, FOOD AND PUBLIC DISTRIBUTION****(Department of Consumer Affairs)**

New Delhi, the 11th February, 2003

**S. O. 604.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the said model of the self-indicating, non-automatic (Table top type) weighing instrument with digital indication of "AD" series of high accuracy (Accuracy Class II) and with brand name "CAS" (herein referred to as the said Model), manufactured by M/s. CAS Weighing India Private Limited, 568, Udyog Vihar, Phase V, Gurgaon-122 016, Haryana and which is assigned the approval mark IND/09/2002/81;

The said Model (see the figure) is a strain gauge load cell based weighing instrument with a maximum capacity of 30 kg and minimum capacity of 100g. The verification scale interval value (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The vacuum fluorescent Diode display indicates the weighing result. The instrument operates on 230 Volts and 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of said Section, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 50 kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg. to 50 mg. and with number of verification scale interval (n) in the range of 5000 to 50,000 for 'e' value of 100mg. or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved said model has been manufactured.

[F. No. WM-21(191)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

का. आ. 605.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स निकेल सिस्टम्स सर्विसेज, 105 निर्माण इंडस्ट्रियल इस्टेट, मलाड, लिंक रोड, मलाड (पश्चिम) मुंबई-400064 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग 3) वाले "ई टी एम" शृंखला के स्वतः सूचक, अस्वचालित अंकक सूचन सहित तोलन उपकरण (बहु भार सेल तोल ब्रिज) के मॉडल का, जिसके ब्रांड का नाम "मिशेल" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2002/100 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

उक्त मॉडल मध्यम यथार्थता वर्ग का भार सेल पर आधारित अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 40 टन और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5 टन से अधिक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 5 कि. ग्रा. या अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^5$ ,  $2 \times 10^5$  या  $5 \times 10^5$  है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[सं० डब्ल्यू. एम.-21(171)/2000]

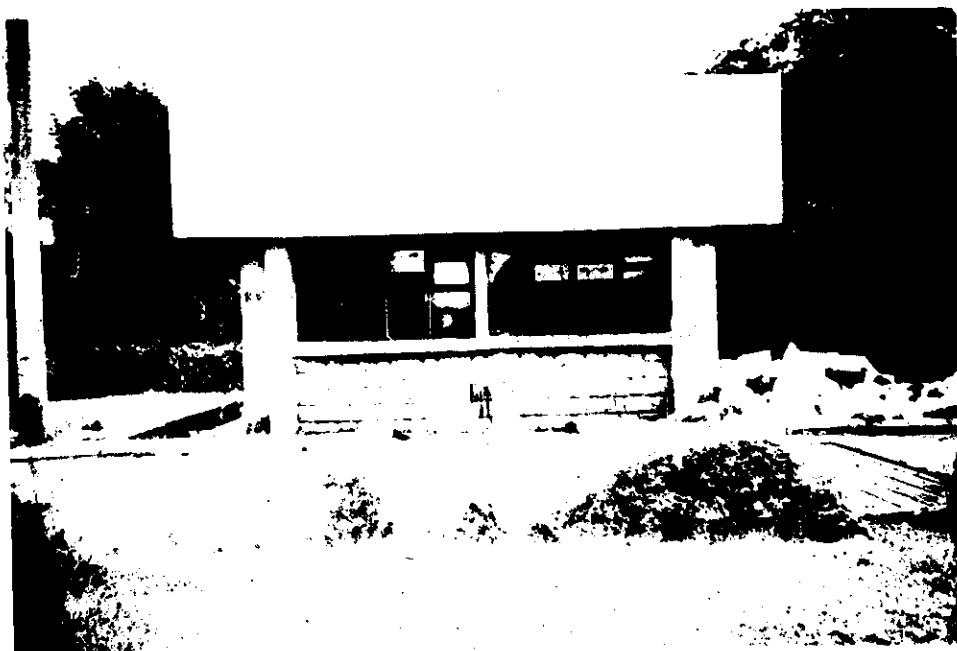
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

S. O. 605.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by sub-section (7) and sub-section (8) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self-indicating, non-automatic, (Multi load cell weigh bridge type) weighing instrument with digital indication of "ETM" series of Medium accuracy (Accuracy class III) and with brand name "MECHEL" manufactured by M/s. Mechel Systems & Services, 105, Nirman Industrial Estate, Malad Link Road,, Malad (West) Mumbai-400 064 and which is assigned the approval mark IND/09/2002/100;

The said Model is a load cell based non- automatic weighing instrument of medium accuracy class with maximum capacity of 40 tonne and minimum capacity of 200 kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting Diode display indicates the weighing result. The instrument operates on 230 volts, 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of said Section, 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved model had been manufactured.

[F. No. WM-21(171)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

का. आ. 606.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स मास फैब (इंडिया) प्राइवेट लिमिटेड, 99/1, पहला प्रमुख, शेषाद्रिपुरम, बंगलौर-560020 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग 3) वाले "एम एफ डब्ल्यू बी" शृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (बहु भार सेल तोल सेतु प्रकार) के मॉडल का, जिसके ब्रांड का नाम "मास फैब" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2002/82 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

उक्त मॉडल स्ट्रेन गेज भार सेल पर आधारित मध्यम वर्ग का अस्वचालित तोलन उपकरण है। इसकी अधिकतम क्षमता 40 टन और न्यूनतम क्षमता 200 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 10 कि. ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्टज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5 टन से अधिक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 5 कि. ग्रा. या अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^5$ ,  $2 \times 10^5$  या  $5 \times 10^5$ , के है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[ सं० डब्ल्यू. एम.-21(108)/2000 ]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

S. O. 606.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by sub-section (7) and sub-section (8) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic, (Multi load cell weigh bridge type) weighing instrument with digital indication of "MFWB" series of Medium accuracy (Accuracy class III) and with brand name "MASS FAB" (herein referred to as the Model), manufactured by M/s. Mass Fab (India) Private Limited, 99/1, 1st Main, Seshdripuram, Bangalore-560020 and which is assigned the approval mark IND/09/2002/82;

The said model is a strain gauge load cell based non-automatic weighing instrument of medium accuracy class. The maximum capacity of 40 tonne and minimum capacity of 200 kg. The verification scale interval (e) is 10kg. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts, and 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of said Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above 5 tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved model had been manufactured.

[No. WM-21(108)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

का. आ. 607.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कार्गो डिजीस्केल, स्टेट बैंक आफ सौराष्ट्र के सामने, गांधी चौक, पतलाद, जिला आणंद, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग 3) वाले "सी डी एस" श्रृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "कार्गो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2002/89 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

उक्त मॉडल स्ट्रेन गेज भार सेल पर आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 30 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आद्येतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येतुलन प्रभाव है। निर्वात फ्लोर सेंट प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 100 मि. ग्रा. से 2 ग्राम के "ई" मान के लिए 100 से 10,000 की रेंज में और 5 ग्रा. या अधिक के "ई" मान के लिए 500 से 10000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$ , के हैं जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[ सं० डब्ल्यू. एम.-21(203)/2000 ]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

S. O. 607.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-sections (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic, (Table top type) weighing instrument with digital indicator of "CDS" series of Medium accuracy (accuracy class III) and with brand name "CARGO" (hereinafter referred to as the model), manufactured by M/s. Cargo Digiscale, Opposite to State Bank of Saurashtra, Gandhi Chowk, Patlad, District Anand, Gujarat and which is assigned the approval mark IND/09/2002/89;

The said model is a strain gauge load cell based weighing instrument with a maximum capacity of 30 kg. and minimum capacity of 100 g. The verification scale interval value (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The vacuum florescent display indicates the weighing result. The instrument operates on 230 volts, and 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of section, 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity upto 50 kg. and with number of verification scale interval (n) in the range of 100 to 10,000 for 'e' value of 100mg. to 2g. and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$ , or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model had been manufactured.

[F. No. WM-21(203)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

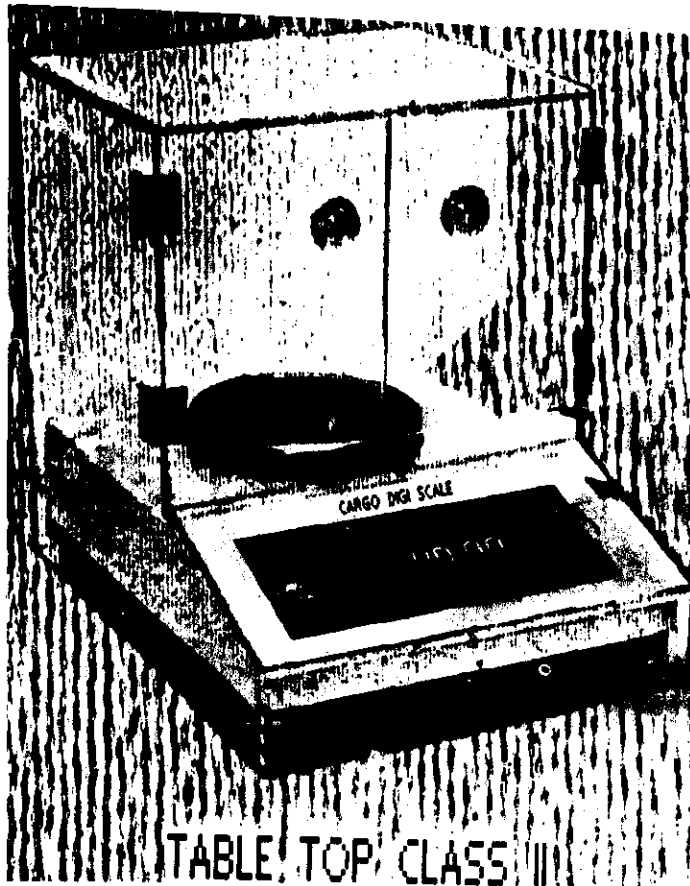


नई दिल्ली, 11 फरवरी, 2003

का. आ. 608.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कार्गो डिजाइन्स, स्टेट बैंक ऑफ सौराष्ट्र के सामने, गांधी चौक, पतलाद, जिला आणंद, गुजरात द्वारा विनिर्मित उच्च यथार्थता (यथार्थता वर्ग 2) वाले "सी डी एस" श्रृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "कार्गो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2002/88 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

उक्त मॉडल स्ट्रेन गेज भार सेल पर आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 22 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 2ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। निर्वात फोर सेंट प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 1 मि. ग्रा. से 50 मि. ग्रा. के "ई" मान के लिए 100 से 50,000 की रेंज में है तथा 100 मि.ग्रा. या अधिक के "ई" मान के लिए 5000 से 50,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^5$ ,  $2 \times 10^5$  या  $5 \times 10^5$ , के हैं जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[सं० डब्ल्यू. एम.-21(203)/2000]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

**S.O. 608.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby issues and publishes the certificate of approval of the model of the self-indicating, non-automatic, (Table top type) weighing instrument with digital indicator of "CDS" series of High accuracy (accuracy class II) and with brand name "CARGO" (hereinafter referred to as the model), manufactured by M/s. Cargo Digiscale, Opposite to State Bank of Saurashtra, Gandhi Chowk, Patlad, District Anand, Gujarat and which is assigned the approval mark IND/09/2002/88;

The said model is a strain gauge load cell based weighing instrument with a maximum capacity of 22 kg. and minimum capacity of 100 g. The verification scale interval value (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The vacuum florescent display indicates the weighing result. The instrument operates on 230 volts, and 50 Hertz alternate current power supply;

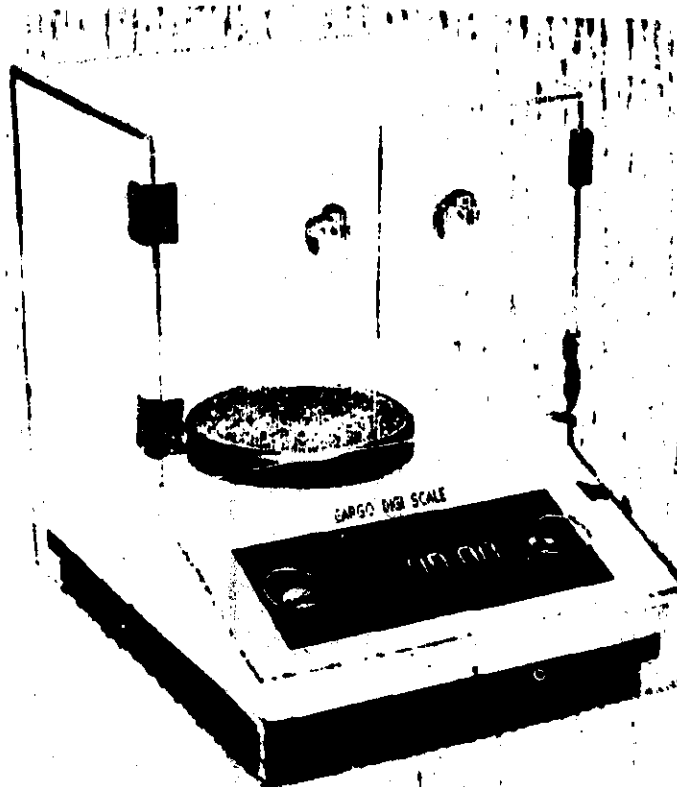


TABLE TOP CLASS II

Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, and performance of same series with maximum capacity upto 50 kg and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1mg to 50 mg. and with number of verification scale interval (n) in the range of 5,000 to 50,000 for 'e' value of 100mg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved model have been manufactured.

[No. WM-21(203)/2000]

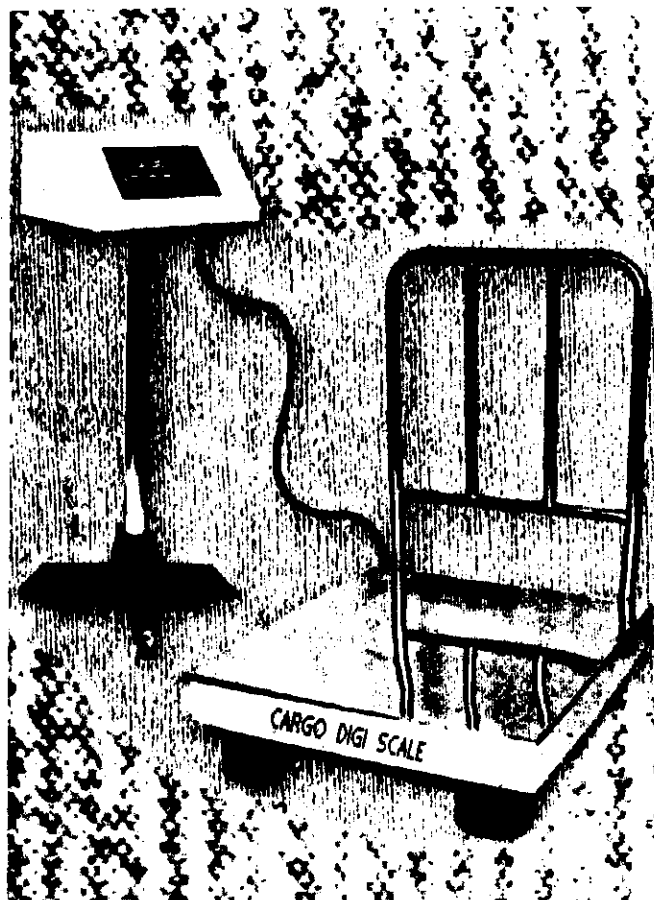
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

का. आ. 609.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स कार्गो डिजीस्केल, स्टेट बैंक ऑफ सौराष्ट्र के सामने, गांधी चौक, पतलाद, जिला आणंद, गुजरात द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग 3) वाले "सी डी एस" शृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "कार्गो" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2002/90 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

उक्त मॉडल (आकृति दी गई) भार सेल पर आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 50 कि. ग्रा. और न्यूनतम क्षमता 100 ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। निर्वात फ्लोर सेंट प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 300 कि. ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 5 ग्रा. या अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$ , के है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[ सं० डब्ल्यू. एम.-21(203)/2000 ]

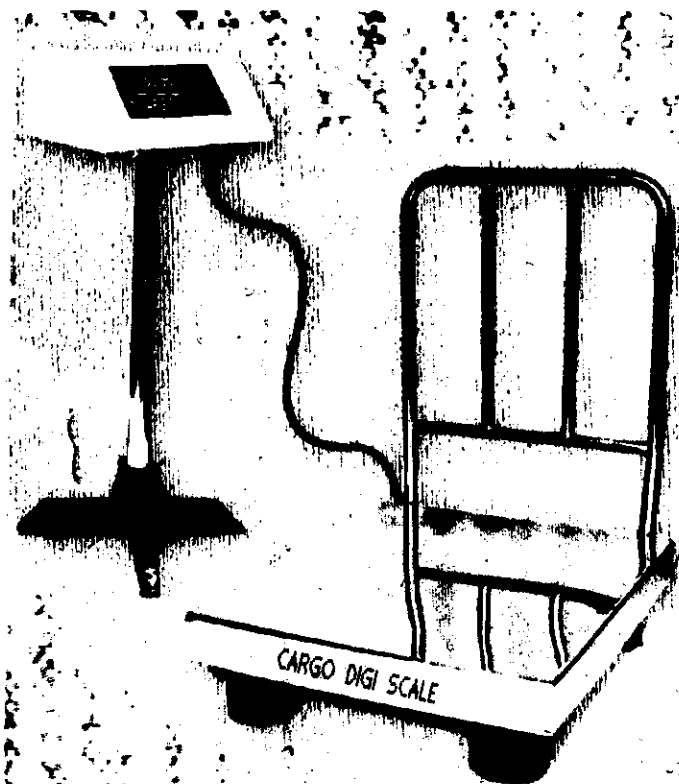
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

**S. O. 609.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-section (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic, (Platform type) weighing instrument with digital indicator of “CDS” series of Medium accuracy (accuracy class III) and with brand name “CARGO” (hereinafter referred to as the model), manufactured by M/s. Cargo Digiscale, Opposite to State Bank of Saurashtra, Gandhi Chowk, Patlad, District Anand, Gujarat and which is assigned the approval mark IND/09/2002/90;

The said model (figure given) is a load cell based weighing instrument with a maximum capacity of 50 Kg and minimum capacity of 100 g. The verification scale interval value (e) is 5g. It has a tare device with a 100 per cent subtractive retained tare effect. The vacuum florescent display indicates the weighing result. The instrument operates on 230 volts, and 50 Hertz alternate current power supply ;



Further, in exercise of the powers conferred by Sub-section (12) of Section, 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make and performance of same series with maximum capacity upto 300 kg and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5g. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved model had been manufactured.

[No. WM-21(203)/2000]

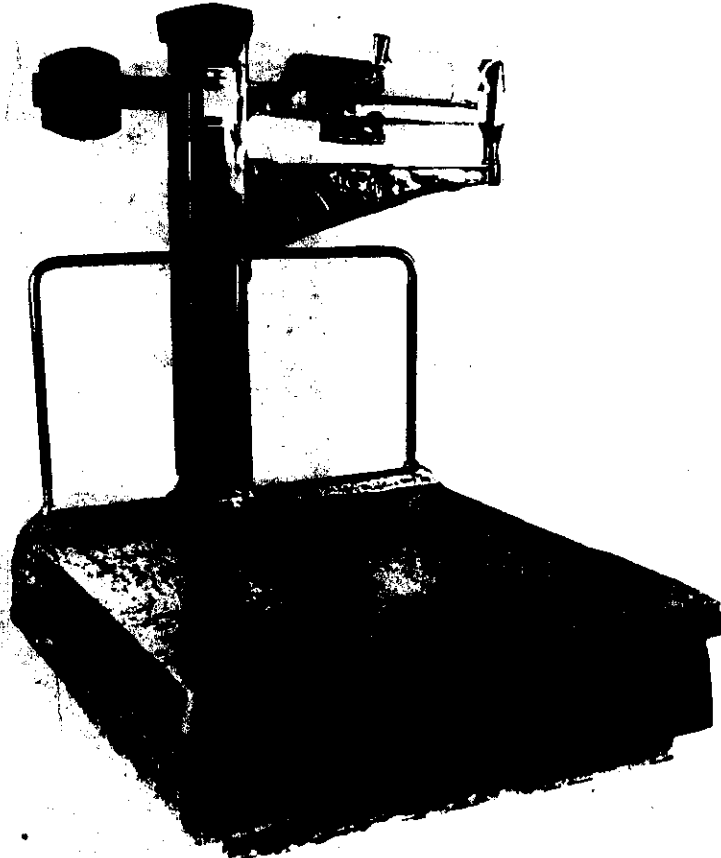
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

का. आ. 610.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एशियन स्केल्स एंड इंजीनियरिंग कारपोरेशन, 27 नित्याधान मुखर्जी रोड, हावड़ा-711101 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग 3) वाले "एम डब्ल्यू आई" श्रृंखला के स्वतः सूचक, अस्वचालित, सदृश उपदर्शन सहित तोलन उपकरण (यांत्रिक प्लेट फार्म स्टील यार्ड) के माडल का, जिसके ब्रांड का नाम "एसेक किंग" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2002/116 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

उक्त मॉडल (आकृति नीचे दी गई है) एक अस्वचालित (यांत्रिक प्लेट फार्म स्टील यार्ड प्रकार का) तोलन उपकरण है। इसकी अधिकतम क्षमता 500 कि. ग्रा. और न्यूनतम क्षमता 2 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 100 ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता एक टन तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 5 कि.ग्रा. या अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$  है जिसमें 'के' धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[ सं० डब्ल्यू. एम.-21(63)/2000 ]

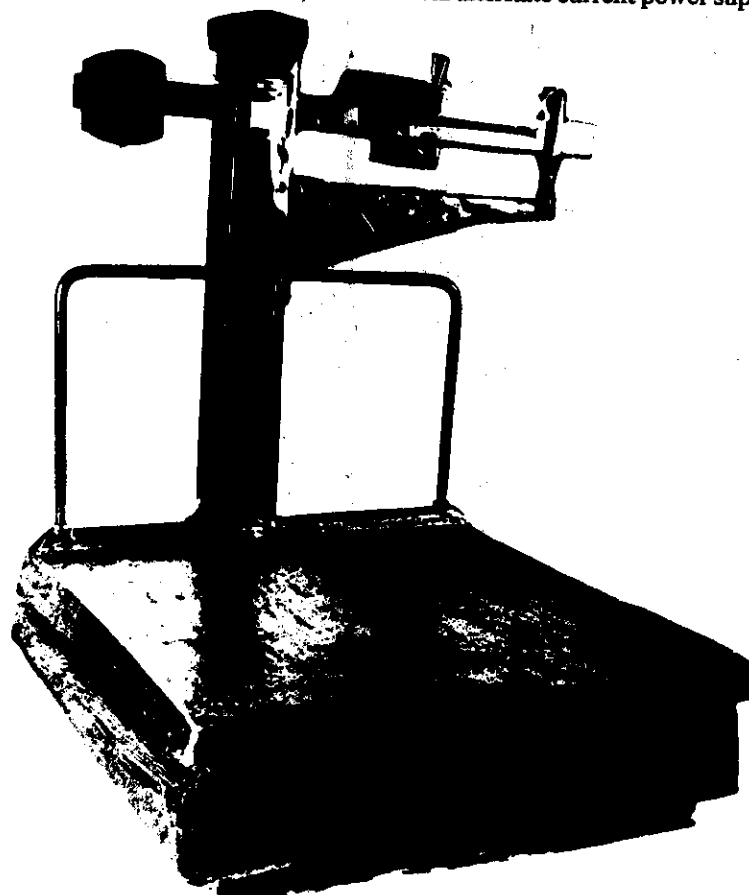
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

S. O. 610.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-section (7) and (8) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic, (mechanical Platform steel yard type) weighing instrument with analogue indication of Medium accuracy (Accuracy class III) belonging to "MWT" series and with brand name "ASEC KING", (hereinafter referred to as the model), manufactured by M/s. Asian Scales and Engineering Corporation, 27, Nithyadhan Mukherjee Road, Howrah-711101 and which is assigned the approval mark IND/09/2002/116;

The said model (figure given below) is a non-automatic (mechanical platform steel yard type) weighing instrument with a maximum capacity of 500 Kg and minimum capacity of 2 kg. The verification scale interval (e) value is 100g. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts, and 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto one tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5kg or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$ , or  $5 \times 10^k$ , 'k' being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved model has been manufactured.

[No. WM-21(63)/2000]

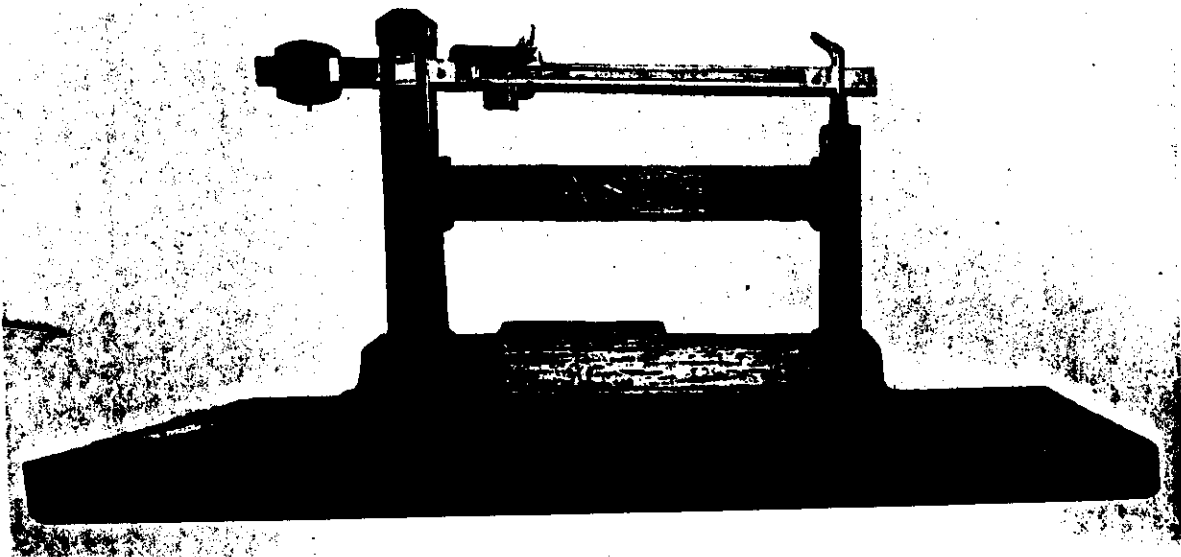
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

का. आ. 611.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स एशियन स्केल्स एंड इंजीनियरिंग कारपोरेशन, 27 नित्याधान मुखर्जी रोड, हावड़ा-711101 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग 3) वाले "एम डब्ल्यू आई" शृंखला के स्वतः सूचक, अस्वचालित, सदृश उपदर्शन सहित तोलन उपकरण (यांत्रिक तोल सेतू स्टील यार्ड) के माडल का, जिसके ब्रांड का नाम "एसेक किंग" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिन्ह आई एन डी/09/2002/117 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

उक्त मॉडल एक अस्वचालित (यांत्रिक तोल सेतू स्टील यार्ड प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 100 कि. ग्रा. है। सत्यापन मापमान अंतराल (ई) का मान 5 कि.ग्रा. है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड (एल ई डी) प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता एक टन तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 5 कि.ग्रा. या अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^5$ ,  $2 \times 10^5$  या  $5 \times 10^5$  है जिसमें 'के' धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[सं० डब्ल्यू. एम.-21(63)/2000]

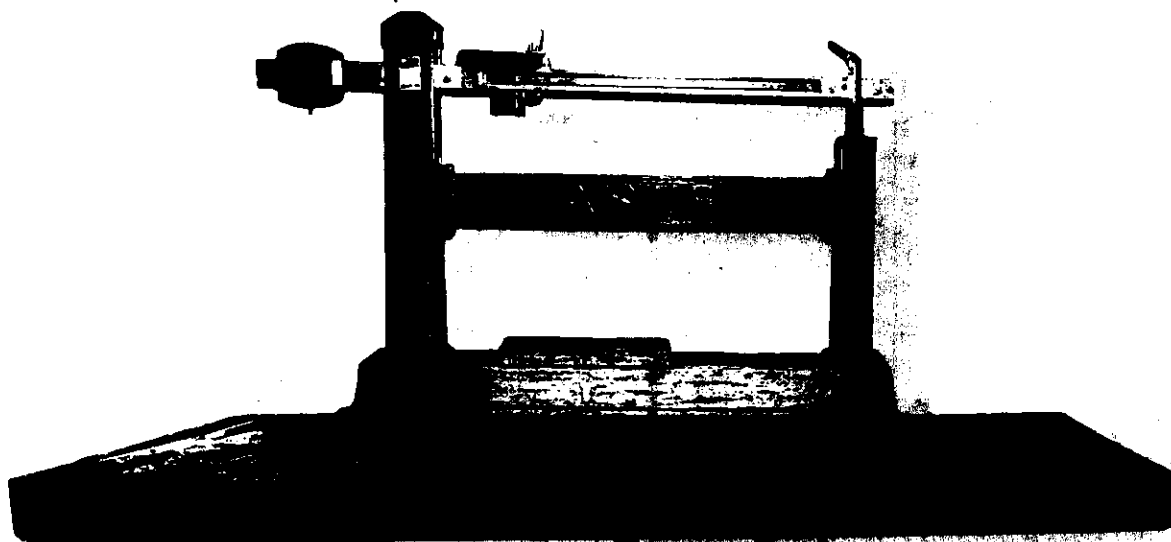
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

S.O. 611.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-section (7) and Sub-section (8) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic, (mechanical weigh bridge steel yard type) weighing instrument with analogue indication of Medium accuracy (accuracy class III) belonging to "MWI" series and with brand name "ASEC KING", (hereinafter referred to as the model), manufactured by M/s. Asian Scales and Engineering Corporation, 27, Nithyadhan Mukherjee Road, Howrah-711101 and which is assigned the approval mark IND/09/2002/117;

The said model is a non-automatic (mechanical weigh bridge steel yard type) weighing instrument with a maximum capacity of 30 tonne and minimum capacity of 100 kg. The verification scale interval (e) value is 5 kg. It has a tare device with a 100 per cent subtractive retained tare effect. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts and, 50 Hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity above five tonne and with number of verification scale interval (n) in the range of 500 to 10,000 for 'e' value of 5 kg. or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , 'k' being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved model has been manufactured.

[No. WM-21(63)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

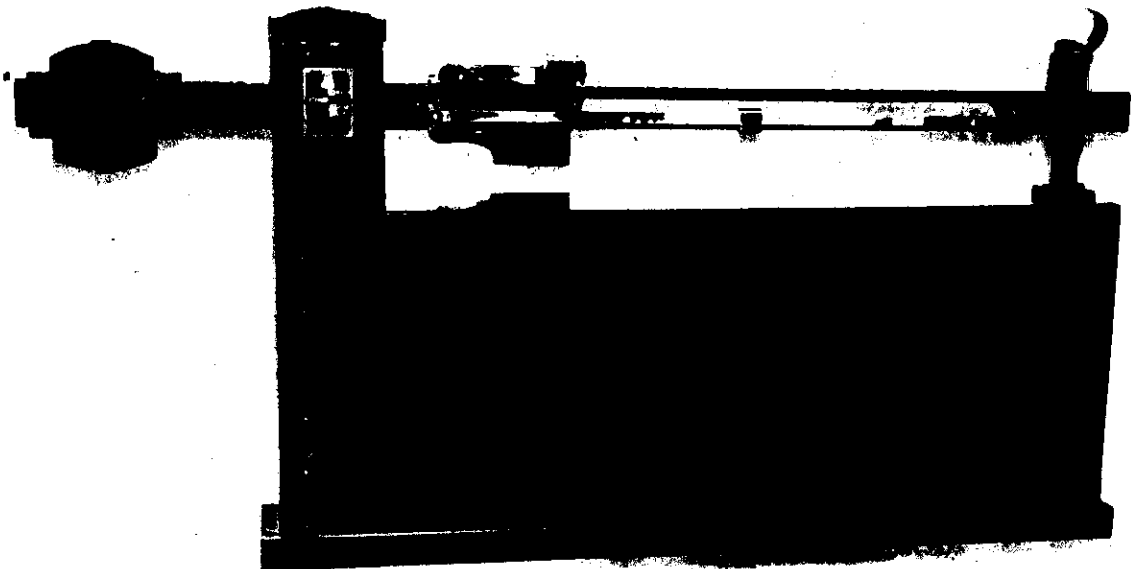


नई दिल्ली, 11 फरवरी, 2003

का. आ. 612.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) और उपधारा (8) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स ईगल सेल्स कारपोरेशन, ईगल इंडस्ट्रियल एस्टेट, प्लॉट सं. 166-167, नोबल नगर के सामने, कोतारपुर, अहमदाबाद-382415 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग 3) वाले "ई एस सी-161" शृंखला के अस्वचालित तोलन उपकरण (वे ब्रिज स्टील यार्ड प्रकार) के माडल का, जिसके ब्रांड का नाम "स्टील ईगल" है (जिसे इसमें इसके पश्चात् उक्त माडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2001/306 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह मॉडल एक अस्वचालित, अंदाक सूचन सहित (वे ब्रिज स्टील यार्ड प्रकार) तोलन उपकरण है। इसकी अधिकतम क्षमता 30 टन और न्यूनतम क्षमता 100 कि. ग्रा. है और मध्यम यथार्थता वर्ग (यथार्थता वर्ग 3) से संबंधित है। सत्यापन मापमान अंतराल (ई) का मान 5 कि.ग्रा. है। उपकरण, लीवर प्रणाली पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 5 टन से ऊपर है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित माडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अंतराल (एन) की संख्या 5 कि.ग्रा. या अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^3$ ,  $2 \times 10^3$  या  $5 \times 10^3$  के है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[सं० डब्ल्यू एम-21(12)/99]

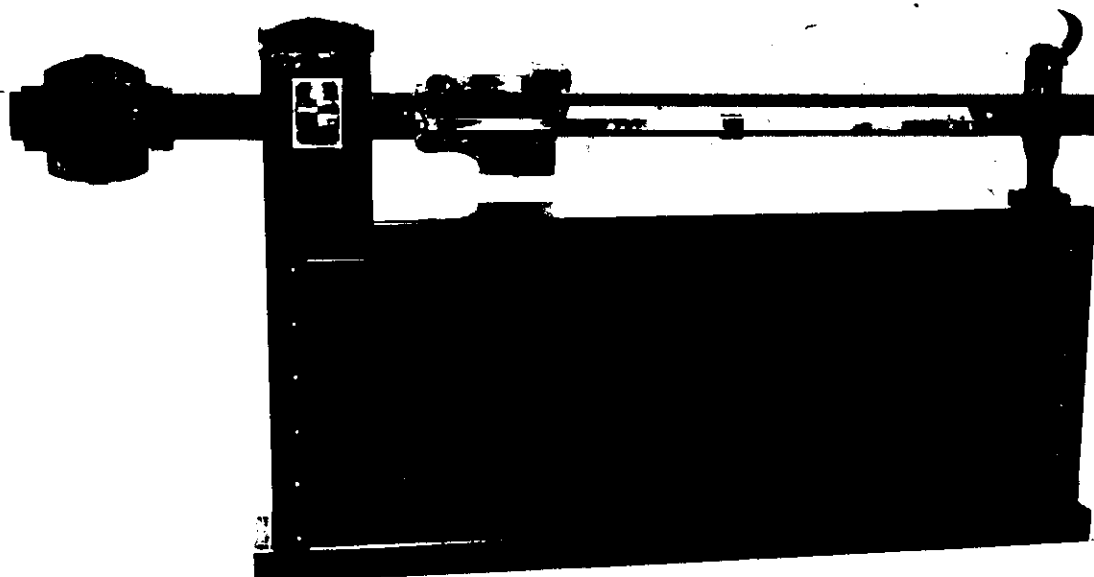
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

S. O. 612.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-section (7) and Sub-section (8) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the non-automatic weighing instrument (weigh bridge steel yard type), (hereinafter referred to as the model) of “ESC-161” series belonging to Medium accuracy class (accuracy-class III) and with brand name “STEEL EAGLE” manufactured by M/s. Eagle Sales Corporation, Eagle Industrial Estate, Plot No. 166-167, opp. Noblenagar, Kotarpur, Ahmedabad-382415 and which is assigned the approval mark IND/09/2001/306;

The model is non-automatic weighing instrument (weigh bridge steel yard type) of maximum capacity 30 tonne and minimum capacity 100kg. and belonging to Medium accuracy class (accuracy class III). The value of verification scale interval is 5 kg. The instrument works on lever system.



Further, in exercise of the powers conferred by Sub-section (12) of the said Section, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of same make, and accuracy class with maximum capacity above 5 tonne and with number of scale interval (n) in the range of 500 to 10,000 for ‘e’ value of 5 kg. or more and with ‘e’ value of  $1 \times 10^k$ ,  $2 \times 10^k$ , or  $5 \times 10^k$ , k being the negative or positive whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same material with which the approved model has been manufactured.

[F. No. WM-21(12)/99]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

का. आ. 613.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स राजपूत इलेक्ट्रॉनिक्स, 3098/36, बीडन पुरा, करौल बाग, नई दिल्ली-110005 द्वारा विनिर्मित उच्चतम यथार्थता (उच्चतम वर्ग 2) वाले "आर ई" श्रृंखला के अंकीय सूचन सहित स्वतः, सूचक अस्वचालित तोलन उपकरण (मेज तल प्रकार) के मॉडल का, जिसके ब्रांड का नाम "राजपूत" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/266 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

उक्त मॉडल (नीचे दी गई आकृति देखें) लोड सेल प्रौद्योगिकी पर आधारित अस्वचालित तोलन उपकरण (टेबल टॉप प्रकार) है। इसकी अधिकतम क्षमता 200 ग्रा. और न्यूनतम क्षमता 0.2 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 0.01 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। भारग्राही 110 एम एम डाय का है। द्रव क्रिस्टल प्रदर्श (एल सी डी) तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया, और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 1 मि.ग्राम से 50 मि.ग्राम के "ई" मान के लिए 100 से 50,000 की रेंज में है तथा 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$  है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[ फा. सं. डब्ल्यू. एम. 21(81)/1998 ]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

**S.O. 615.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic, (Table Top type) weighing instrument with digital indication of 'RE' series belonging to High accuracy (Accuracy Class II) and with brand name "RAJPUT" (herein after referred to as the model), manufactured by M/s. Rajput Electronics, 3098/36, Beedon Pura, Karol Bagh, New Delhi-110 005 and which is assigned the approval mark IND/09/2000/266;

The said model (figure given) is a load cell based weighing instrument with a maximum capacity of 200g. and minimum capacity of 0.2g. The verification scale interval (e) is 0.01g. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is circular dia of 110 millimetre. The Light Emitting Diode display indicates the weighing result. The instrument operates on 230 Volts, 50 Hertz alternate current power supply;



And further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, same accuracy and performance of same series with maximum capacity up to 50kg. and with number of verification scale interval (n) in the range of 100 to 50,000 for 'e' value of 1 mg. to 50mg. and with number of verification scale interval (n) in the range 500 to 50,000 for 'e' value of 100mg or and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved model has been manufactured.

[F. No. WM-21(81)/98]

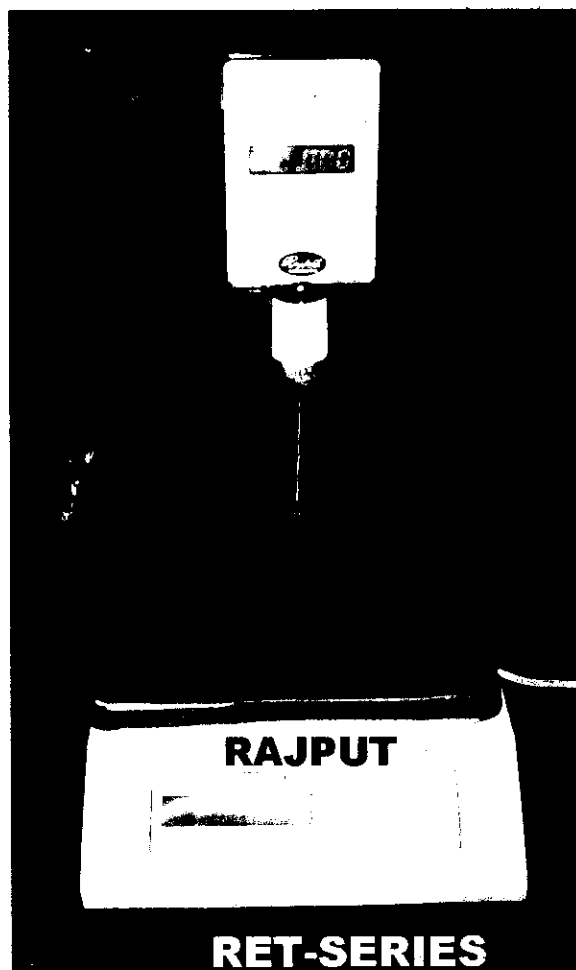
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

**का.आ. 614.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) और बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, मैसर्स राजपूत इलेक्ट्रॉनिक्स, 3098/36, बीडन पुरा, करौल बाग, नई दिल्ली-110005 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले "आर ई टी" श्रृंखला के अंकीय सूचन सहित स्वतः, सूचक अस्वचालित तोलन उपकरण (मेज तल प्रकार) के मॉडल का, जिसके ब्रांड का नाम "राजपूत" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/208 दिया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (नीचे दी गई आकृति देखें) एक लोड सेल आधारित जिसकी अधिकतम क्षमता 30 किलोग्राम और न्यूनतम क्षमता 100 ग्रा. है का तोलन उपकरण है। सत्यापन मापमान (ई) का मान 5 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। भारग्राही आयताकार है, जिसकी भुजाएं  $350 \times 300$  मि०मी० है। प्रकाश उत्सर्जन डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करती है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) का संख्यांक सहित 100 मि.ग्राम से 2 ग्राम के लिए "ई" मान 100 से 10,000 रेंज में और सत्यापन मापमान अन्तराल (एन) संख्यांक सहित 5 ग्राम या अधिक तथा सहित "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$  है जिसमें के घनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[ सं. डब्ल्यू. एम. 21(81)/98 ]

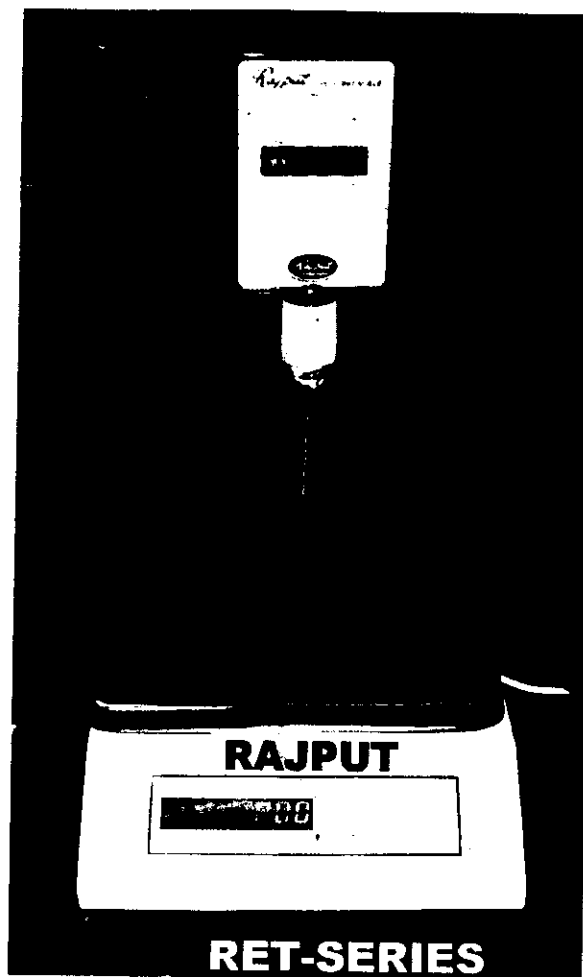
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

**S.O. 614.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic, (Table Top type) weighing instrument with digital indication of 'RE-T' series belonging to medium accuracy (Accuracy Class III) and with brand name "RAJPUT" (herein referred to as the model), manufactured by M/s. Rajput Electronics, 3098/36, Beeton Pura, Karol Bagh, New Delhi-110 005 and which is assigned the approval mark IND/09/2000/208;

The said model (see figure given below) is a load cell based weighing instrument with a maximum capacity of 30 kg. and minimum capacity of 100g. The verification scale interval (e) is 5g. It has a tare device with a 100 percent subtractive retained tare effect. The load receptor is of rectangular side section of 350 × 300 millimetre. The light emitting diode display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply;



And further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of similar make, same accuracy and performance of same series with maximum capacity up to 50kg with number of verification scale interval(n) in the range 100 to 10,000 for 'e' value of 100 mg to 2g and with number of verification scale interval(n) in the range 500 to 10,000 for 'e' value of 5g or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved model have been manufactured.

[No. WM-21(81)/98]

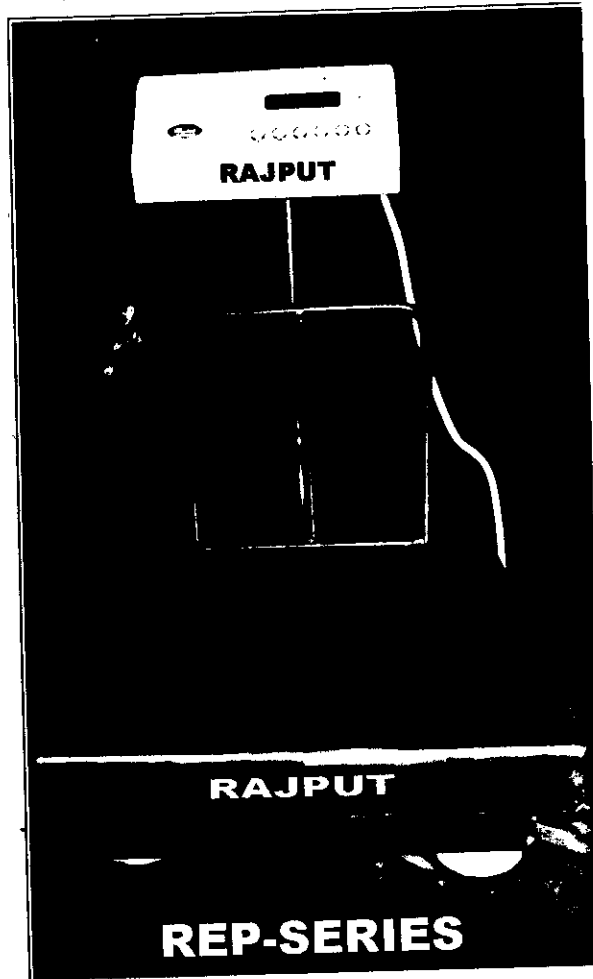
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

**का.आ. 615.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट और माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधियों में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स राजपूत इलेक्ट्रानिक्स, 3098/36, बीडन पुरा, करौल बाग, नई दिल्ली-110005 द्वारा विनिर्मित मध्यम यथार्थता वर्ग (यथार्थता वर्ग III) वाले “आर ई” शृंखला के अंकीय सूचक अस्वचालित तोलन उपकरण (प्लेटफार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम “राजपूत” है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2000/181 दिया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति दी गई है) एक लोड सेल आधारित साधारण अधिकतम क्षमता 50 किलोग्राम और न्यूनतम क्षमता 200 ग्रा. का तोलन उपकरण है। सत्यापन मापमान (ई) मान 10 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। प्रकाश उत्सर्जक डायोड प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 300 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है और जिनके सत्यापन मापमान अन्तराल (एन) की अधिकतम संख्या 10,000 से कम या उसके बराबर है (एन  $\leq 10,000$ ) तथा जिनका “ई” मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$  है, जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[ सं. डब्ल्यू. एम. 21(81)/98 ]

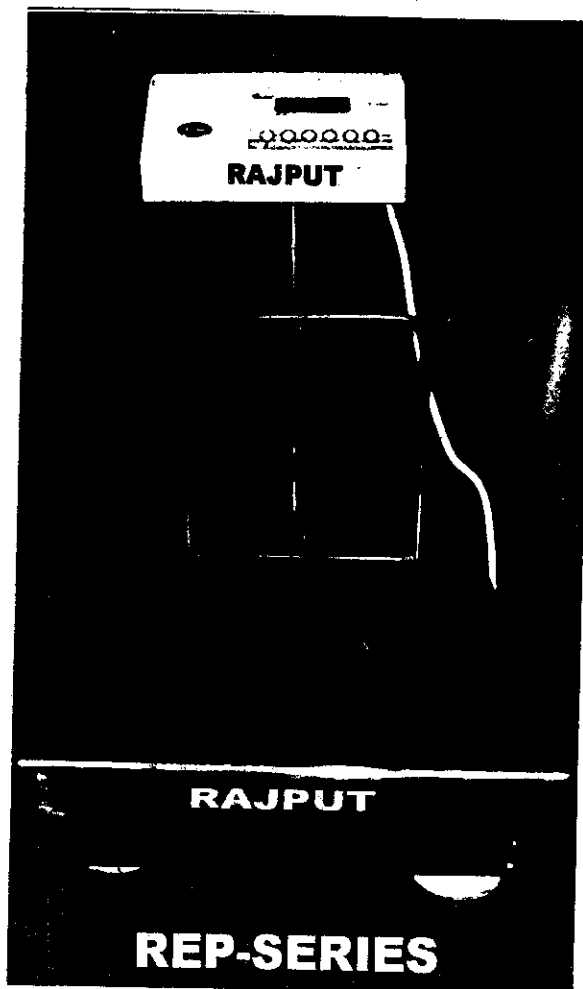
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

**S. O. 615.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic, (platform type) weighing instrument with digital indication of 'RE' series belonging to medium accuracy (Accuracy Class III) and with brand name "RAJPUT" (herein after referred to as the model), manufactured by M/s. Rajput Electronics, 3098/36, Beedon Pura, Karol Bagh, New Delhi-110 005 and which is assigned the approval mark IND/09/2000/181;

The said model (figure given) is a load cell based weighing instrument with a maximum capacity of 50 kg. and minimum capacity of 200g. The verification scale interval (e) is 10g. It has a tare services with a 100 per cent subtractive retained tare effect. The light emitting Diode display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply;



And further, in exercise of the powers conferred by Sub-section (12) of Section 36 of the said Act, the Central Government hereby declares that this certificate of approval of the model shall also cover the weighing instruments of same accuracy and performance of same series with maximum capacity up to 300kg with number of verification scale interval(n) less than or equal to 10,000 ( $n \leq 10,000$ ) and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved model has been manufactured.

[ No. WM-21(81)/98]

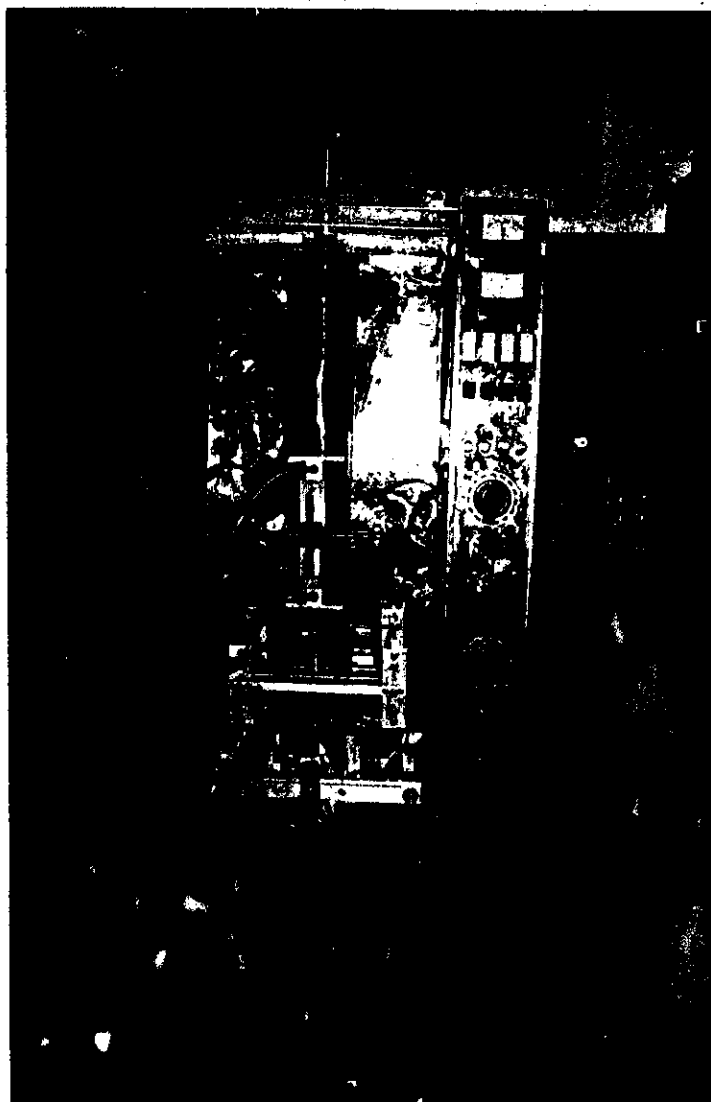
P. A. KRISHNAMOORTHY, Director, Legal Metrology



नई दिल्ली, 11 फरवरी, 2003

का.आ. 616.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स प्रेस्ट पैक इंडिया, सदर बाजार, मेन रोड, राजकोट-360001 "पी पी आई सुपर ए/बी" शृंखला के स्वचालित भरण मशीन के मॉडल का, जिसके ब्रांड का नाम "सरजक" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2002/79 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;



उक्त मॉडल एक स्वचालित भरण मशीन (तरल भरण प्रकार) है। यह स्थिर शीर्ष के अधीन गुरुत्व भरण के सिद्धांत पर कार्य करती है। मशीन को 50 मि.ली. से 1000 मि.ली. के बीच किसी भी रेंज में समायोजित किया जा सकता है। मशीन विस्काउस तरल उत्पादों जैसे तेल, जल, घी, वनस्पति, जूस और सान्द्र उत्पादों आदि को भरने के लिए अभिकल्पित है।

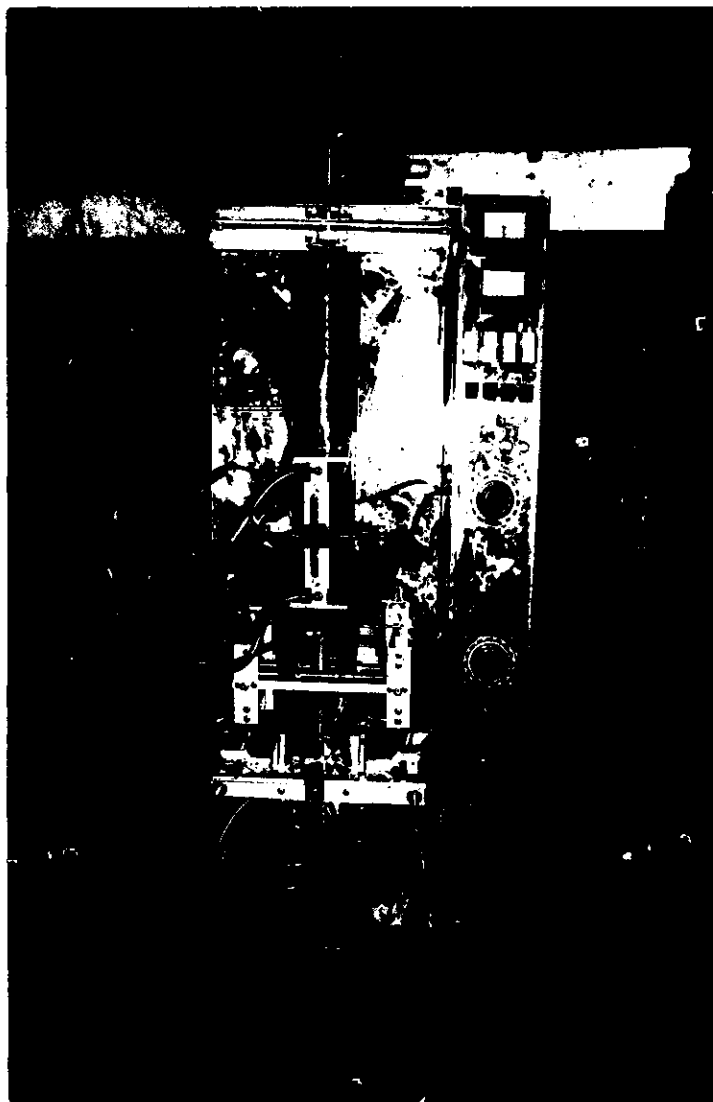
[सं. डब्ल्यू. एम. 21(129)/99]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

**S. O. 616.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the said model of the automatic filling machine of "PPI-SUPER A/B" series and with brand name "SARJAK" (hereinafter referred to as the said model) manufactured by M/s. Prest Pack India, Sadar Bazar, Main Road, Rajkot-360001 and which is assigned the approval mark IND/09/2002/79;



The said model (figure given) is an automatic filling machine (liquid filling type). It works on the principle of gravity feed under constant head. The machine can be adjusted to deliver any range between 50ml to 1000ml. The machine is designed to fill viscous liquid products like oil, water, ghee, vanaspathi, juice and concentrates products etc.

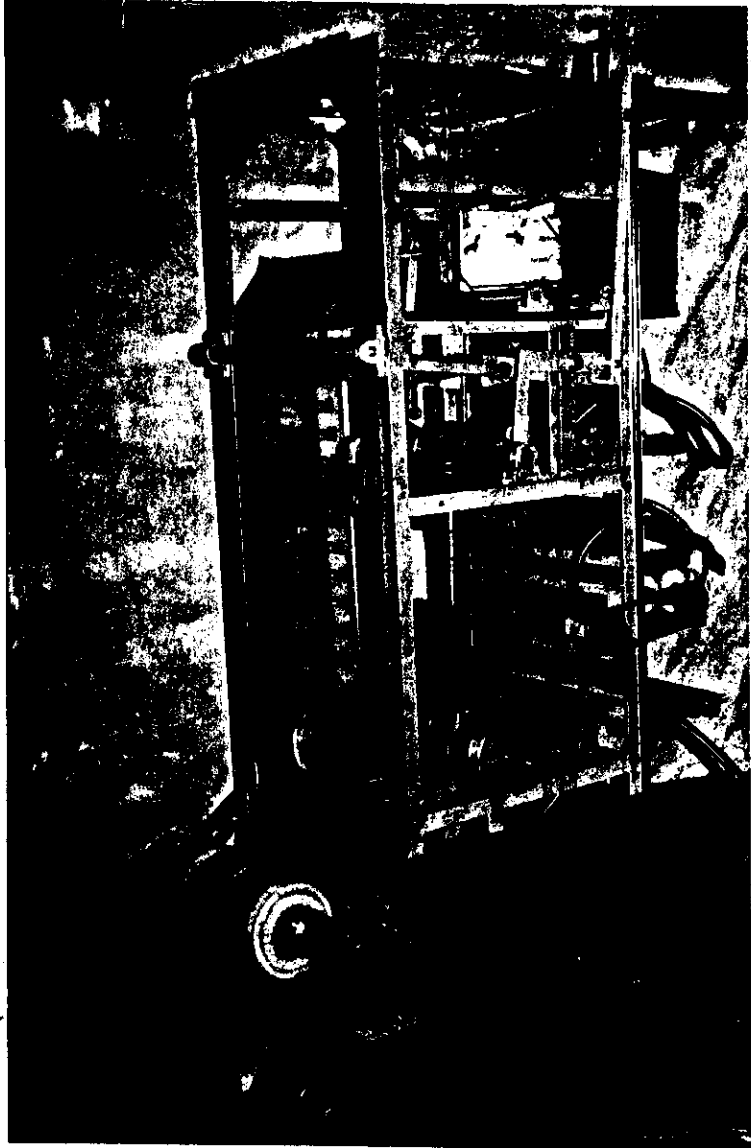
[No. WM-21(129)/99]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

का. आ. 617.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स प्रेस्ट पैक इंडिया, सदर बाजार, मेन रोड, राजकोट-360001 “पी पी आई सुपर ए/बी” शृंखला के स्वचालित भरण मशीन (ठोस भरण प्रकार) के मॉडल का, जिसके ब्रांड का नाम “सरजक” है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2002/80 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;



उक्त मॉडल एक स्वचालित ठोस भरण मशीन (ठोस भरण प्रकार) है। यह स्थिर शीर्ष के अधीन गुरुत्व भरण के सिद्धांत पर कार्य करती है। वितरित की जाने वाली मात्रा समय गियर द्वारा सेट की जाती है और कप फिलर के साथ भी सेट की जाती है। मशीन 100 ग्रा. से 1000 ग्रा. के बीच किसी भी रेंज में परिदत्त करने के लिए समायोजित किया जा सकता है। मशीन रवा और आटा जैसे ठोस उत्पादों को भरने के लिए अभिकल्पित है।

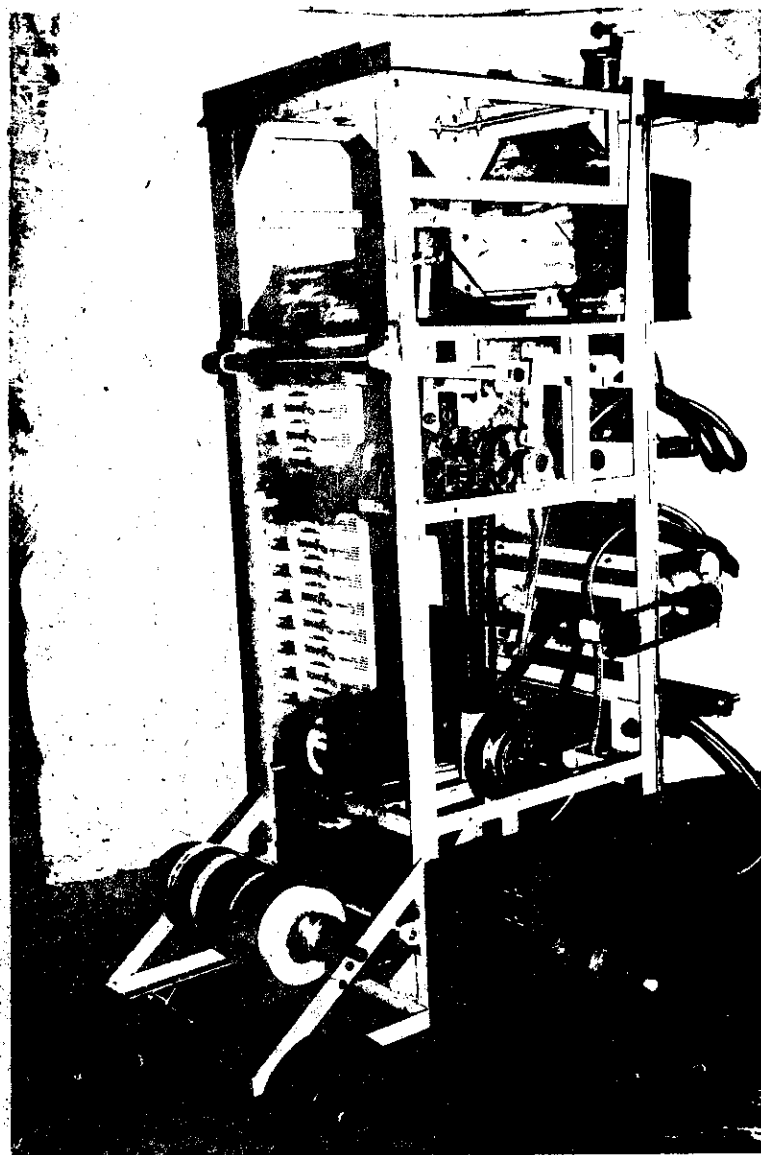
[सं. डब्ल्यू. एम. 21(129)/99]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

**S.O. 617.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the said model of the automatic filling machine (solid filling type) of "PPI-SUPER A/B" series and with brand name "SARJAK" (hereinafter referred to as the said model) manufactured by M/s. Prest Pack India, Sadar Bazar, Main Road, Rajkot-360 001 and which is assigned the approval mark IND/09/2002/80;



The said model (figure given) is an automatic filling machine (solid filling type). It works on the principle of gravity feed under constant head. The quantity to be dispensed is set by timing gear and also with cup filler. The machine can be adjusted to deliver any range between 100g to 1000g. The machine is designed to fill solid products like as rawa and atta.

[No. WM-21(129)/99]

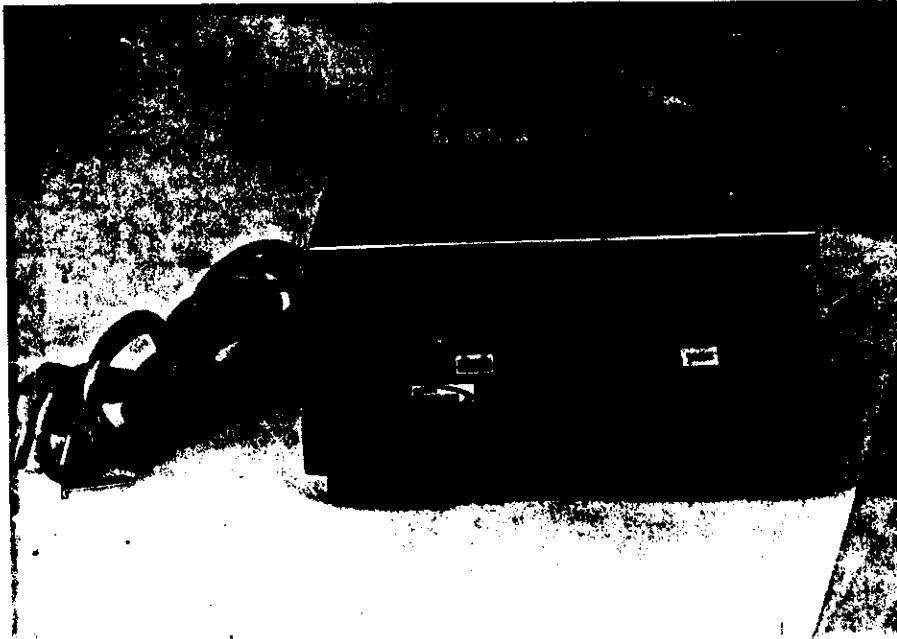
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

**का. आ. 618.**—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में (वर्णित मॉडल नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सुईकान इलेक्ट्रानिक्स, गणेश नगर, औसा रोड लातूर-413531 द्वारा विनिर्मित उच्च मध्यम यथार्थता (यथार्थता वर्ग 2) वाले "एस टी डी" श्रृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबल टॉप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सुईकान" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2002/84 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) विकृति गेज भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 11 कि. ग्रा. और न्यूनतम क्षमता 50 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 1 ग्रा. है। इसमें एक आद्येयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आद्येयतुलन प्रभाव है। निर्वात प्रदीप्ति शील प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 1 मि.ग्राम से 50 मि. ग्राम के "ई" मान के लिए 100 से 50,000 की रेंज में है तथा 100 मि. ग्रा. या उससे अधिक के "ई" मान के लिए 5000 से 50,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$  है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[ फा. सं. डब्ल्यू. एम. 21(201)/2000 ]

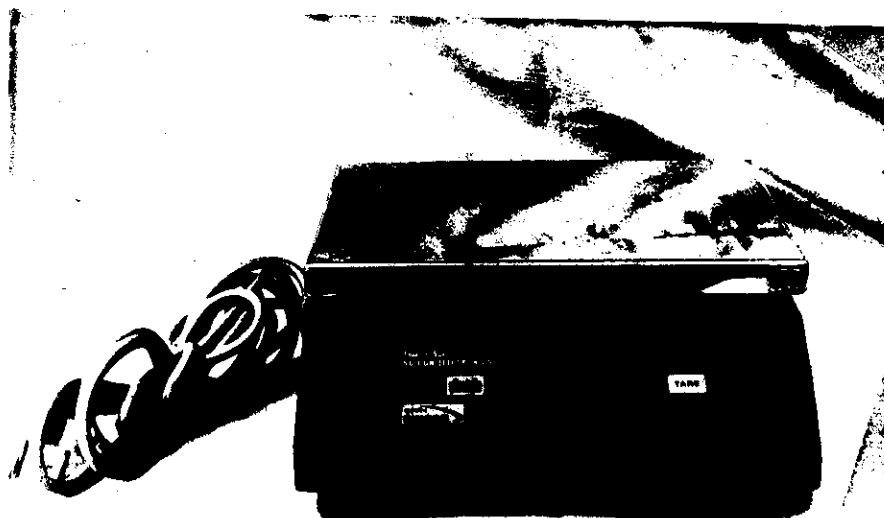
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

**S.O. 618.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the said Model of the self-indicating, non-automatic, (Table Top type) weighing instrument with digital indicator of 'STD' series of High accuracy (Accuracy Class II) and with brand name "SUICON" (herein referred to as the said model), manufactured by M/s. Suicon Electronics, Ganesh Nagar AUSA Road, Latur-413 531 and which is assigned the approval mark IND/09/2002/84;

The said Model (see the figure given) is a strain gauge load cell based weighing instrument with a maximum capacity of 11kg. and minimum capacity of 50g. The verification scale interval value (e) is 1g. It has a tare device with a 100 percent subtractive retained tare effect. The vacuum florescent display indicates the weighing result. The instrument operates on 230 Volts, 50-Hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of the said section, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with number of verification scale interval(n) in the range of 100 to 50,000 for 'e' value of 1 mg. to 50mg. and with number of verification scale interval(n) in the range of 500 to 50,000 for 'e' value of 100mg or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved said model has been manufactured.

[F. No. WM-21(201)/2000]

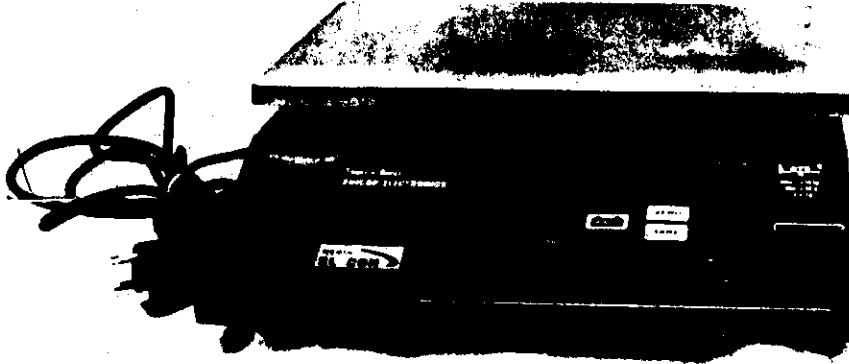
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

का. आ. 619.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सुईकान इलेक्ट्रानिक्स, गणेश नगर, औसा रोड लातूर-413531 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग 3) वाले "एस टी डी" श्रृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (टेबल टाप प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सुईकान" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन विह आई एन डी/09/2002/85 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है;

यह मॉडल (आकृति देखें) विकृति गेज भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 10 कि. ग्रा. और न्यूनतम क्षमता 40 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 2 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। निर्वात प्रदीप्ति शील प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी श्रृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 50 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एन) की 100 मि.ग्राम से 2 मि. ग्राम के "ई" मान के लिए 500 से 10,000 की रेंज में तथा 5 ग्रा. या अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^*$ ,  $2 \times 10^*$  या  $5 \times 10^*$  है जिसमें के धनात्मक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[सं. डब्ल्यू. एम. 21(201)/2000]

पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

**S. O. 619.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by sub-section (7) of section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the said Model of the self-indicating, non-automatic, (Table Top type) weighing instrument with digital indicator of 'STD' series of medium accuracy (Accuracy Class III) and with brand name "SUICON" (herein referred to as the said model), manufactured by M/s. Suicon Electronics, Ganesh Nagar, Ausa Road, Latur-413 531 and which is assigned the approval mark IND/09/2002/85;

The said Model (see the figure given) is a strain gauge load cell based weighing instrument with a maximum capacity of 10 Kg and minimum capacity of 40 g. The verification scale interval value (e) is 2g. It has a tare device with a 100 per cent subtractive retained tare effect. The vacuum florescent display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply;



Further, in exercise of the powers conferred by sub-section (12) of the said Section, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instruments of similar make, accuracy and performance of same series with maximum capacity up to 50kg with number of verification scale interval(n) in the range of 100 to 10,000 for 'e' value of 100mg to 2g and with number of verification scale interval(n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value of  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being the positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved said model has been manufactured.

[F. No. WM-21(201)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

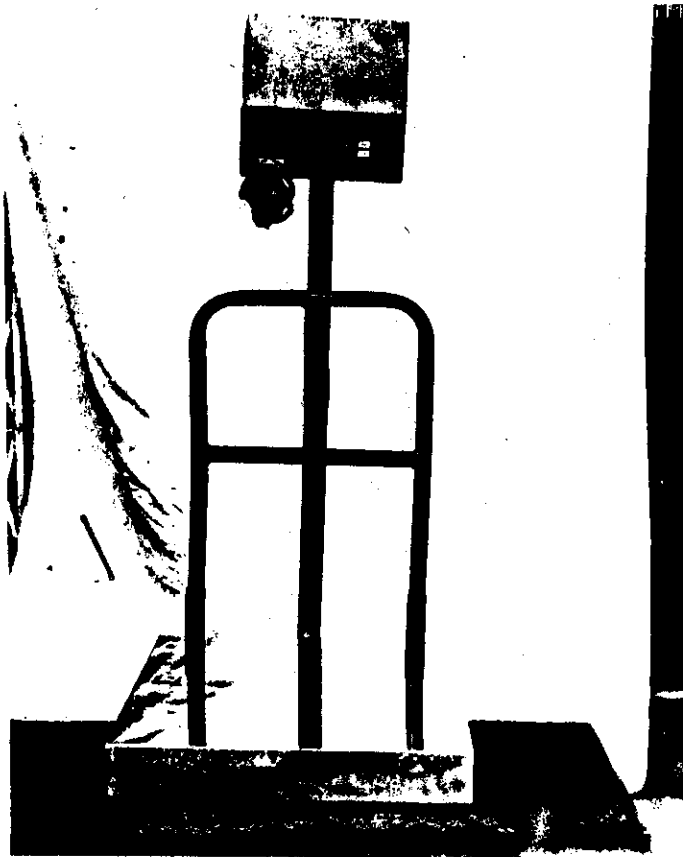


नई दिल्ली, 11 फरवरी, 2003

का. आ. 620.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात्, यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सुईकान इलेक्ट्रॉनिक्स, गणेश नगर, औसा रोड लातूर-413531 द्वारा विनिर्मित उच्च मध्यम यथार्थता (यथार्थता वर्ग 2) वाले "एस पी डी" शृंखला के स्वतः सूचक, अस्थवाचित, अंकक सूचक सहित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सुईकान" है (जिसे इसमें इसके पश्चात् मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2002/86 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) विकृति गेज भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 120 कि. ग्रा. और न्यूनतम क्षमता 500 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 10 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवकलनात्मक धारित आधेयतुलन प्रभाव है। निर्वात प्रदीप्ति शील प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, उसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 300 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिन्होंने अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 10 ग्राम या इससे अधिक के "ई" मान के लिए 5000 से 50,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$  है जिसमें के घनात्मक या ऋणात्मक पूर्णांक या अन्य के समतुल्य है।

[सं. डब्ल्यू. एम. 21(201)/2000]

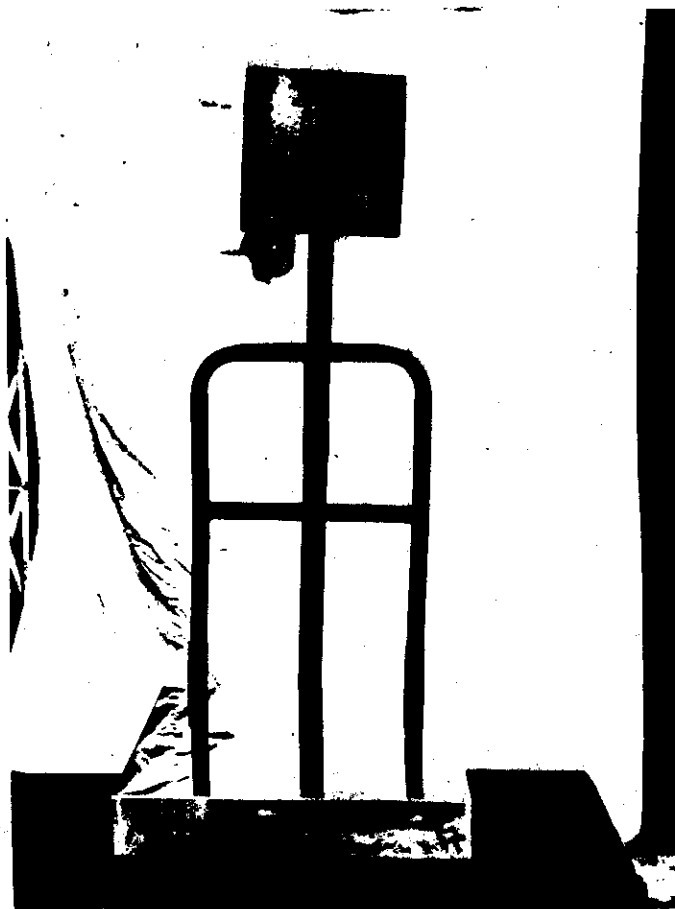
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

S. O. 620.—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions ;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the model of the self-indicating, non-automatic, (Platform type) weighing instrument with digital indications of 'SPD' series of high accuracy (Accuracy Class II) and with brand name "SUICON" (herein referred to as the Model), manufactured by M/s. Suicon Electronics, Ganesh Nagar, Ausa Road, Latur-413 531 and which is assigned the approval mark IND/09/2002/86;

The said model (see the figure given) is a load cell based weighing instrument with a maximum capacity of 120 Kg. and minimum capacity of 500g. The verification scale interval value (e) is 10g. It has a tare device with a 100 per cent subtractive retained tare effect. The vacuum florescent display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply;



Further, in exercise of the powers conferred by Sub-section (12) of said Section the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity up to 300kg. and with number of verification scale interval(n) in the range of 5000 to 50,000 for 'e' value of 10g or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which the approved said model has been manufactured.

[No. WM-21(201)/2000]

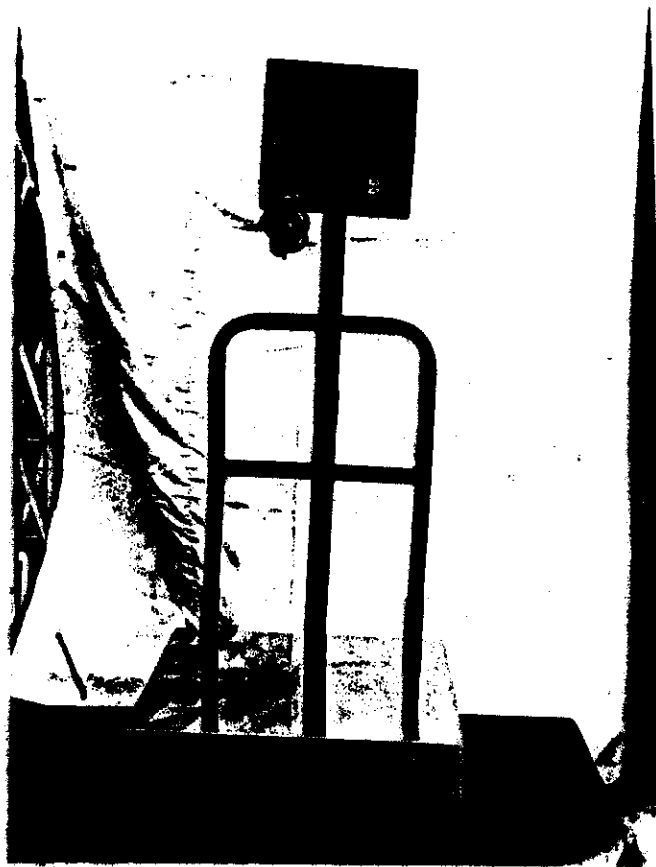
P. A. KRISHNAMOORTHY, Director, Legal Metrology

नई दिल्ली, 11 फरवरी, 2003

क्र. आ. 621.—केन्द्रीय सरकार का, विहित प्राधिकारी द्वारा उसे प्रस्तुत रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि उक्त रिपोर्ट में वर्णित मॉडल (नीचे दी गई आकृति देखें) बाट और माप मानक अधिनियम, 1976 (1976 का 60) तथा बाट तथा माप मानक (मॉडलों का अनुमोदन) नियम, 1987 के उपबंधों के अनुरूप है और इस बात की संभावना है कि लगातार प्रयोग की अवधि में भी उक्त मॉडल यथार्थता बनाए रखेगा और विभिन्न परिस्थितियों में उपयुक्त सेवा प्रदान करता रहेगा;

अतः अब केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (7) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए मैसर्स सुईकान इलेक्ट्रॉनिक्स, गणेश नगर, औस रोड, लाहूर-413531 द्वारा विनिर्मित मध्यम यथार्थता (यथार्थता वर्ग 3) वाले "एस पी एस" शृंखला के स्वतः सूचक, अस्वचालित, अंकक सूचन सहित तोलन उपकरण (प्लेट फार्म प्रकार) के मॉडल का, जिसके ब्रांड का नाम "सुईकान" है (जिसे इसमें इसके पश्चात् उक्त मॉडल कहा गया है) और जिसे अनुमोदन चिह्न आई एन डी/09/2002/87 समनुदेशित किया गया है, अनुमोदन प्रमाणपत्र प्रकाशित करती है।

यह मॉडल (आकृति देखें) विकृति गेज भार सेल आधारित तोलन उपकरण है। इसकी अधिकतम क्षमता 120 कि. ग्रा. और न्यूनतम क्षमता 400 ग्रा. है। सत्यापन मापमान अन्तराल (ई) का मान 20 ग्राम है। इसमें एक आधेयतुलन युक्ति है जिसका शत प्रतिशत व्यवस्थिततात्मक धारित आधेयतुलन प्रभाव है। निर्वात प्रदीप्ति शील प्रदर्श तोलन परिणाम उपदर्शित करता है। उपकरण 230 वोल्ट और 50 हर्ट्ज प्रत्यावर्ती धारा विद्युत प्रदाय पर कार्य करता है।



और, केन्द्रीय सरकार उक्त अधिनियम की धारा 36 की उपधारा (12) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि मॉडल के इस अनुमोदन प्रमाणपत्र के अंतर्गत, इसी शृंखला के उसी मेक, यथार्थता और कार्यपालन वाले ऐसे तोलन उपकरण भी होंगे जिनकी अधिकतम क्षमता 300 कि.ग्रा. तक है और जिनका विनिर्माण उसी विनिर्माता द्वारा उसी सिद्धान्त, डिजाइन और उसी सामग्री से किया जाता है जिससे अनुमोदित मॉडल का विनिर्माण किया गया है, और जिनके सत्यापन मापमान अन्तराल (एन) की संख्या 5 ग्राम या अधिक के "ई" मान के लिए 500 से 10,000 की रेंज में है तथा जिनका "ई" मान  $1 \times 10^{-6}$ ,  $2 \times 10^{-6}$  या  $5 \times 10^{-6}$  के है जिसमें के सत्यापक या ऋणात्मक पूर्णांक या शून्य के समतुल्य है।

[सं. डब्ल्यू एम-21(201)/2000]

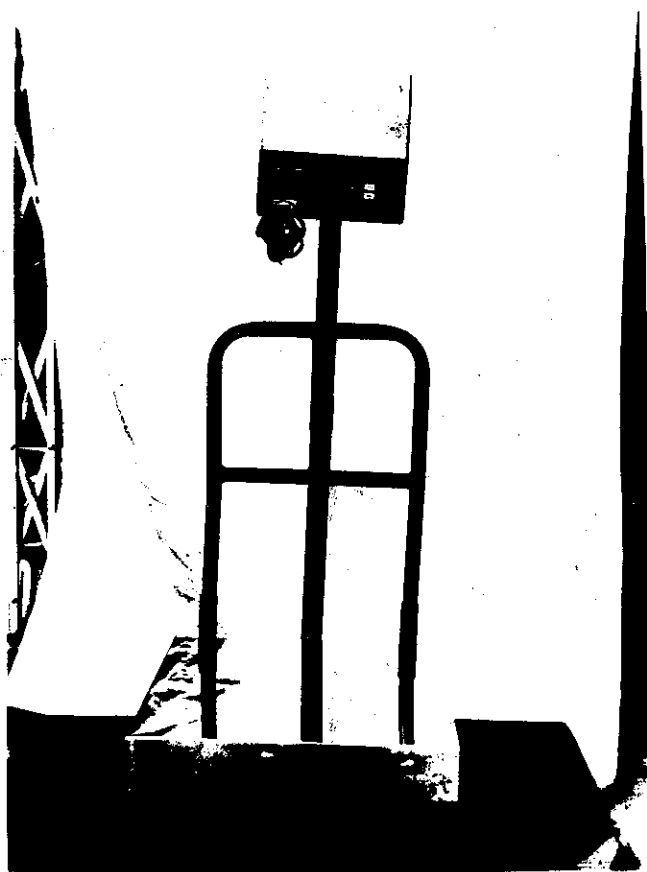
पी. ए. कृष्णामूर्ति, निदेशक, विधिक माप विज्ञान

New Delhi, the 11th February, 2003

**S. O. 621.**—Whereas the Central Government, after considering the report submitted to it by the prescribed authority, is satisfied that the Model described in the said report (see the figure given below) is in conformity with the provisions of the Standards of Weights and Measures Act, 1976 (60 of 1976) and the Standards of Weights and Measures (Approval of Models) Rules, 1987 and the said Model is likely to maintain its accuracy over periods of sustained use and to render accurate service under varied conditions;

Now, therefore, in exercise of the powers conferred by Sub-section (7) of Section 36 of the said Act, the Central Government hereby publishes the certificate of approval of the said Model of the self-indicating, non-automatic, (Platform type) weighing instrument with digital indicator of 'SPS' series of medium accuracy (Accuracy Class III) and with brand name "SUICON" (herein referred to as the Model), manufactured by M/s. Suicon Electronics, Ganesh Nagar, Ausa Road, Latur-413 531 and which is assigned the approval mark IND/09/2002/87;

The said Model (figure given) is a strain gauge load cell based weighing instrument with a maximum capacity of 120 Kg and minimum capacity of 400g. The verification scale interval value (e) is 20g. It has a tare device with a 100 per cent subtractive retained tare effect. The vacuum florescent display indicates the weighing result. The instrument operates on 230 volts and 50-Hertz alternate current power supply.



Further, in exercise of the powers conferred by Sub-section (12) of said Section, the Central Government hereby declares that this certificate of approval of the said Model shall also cover the weighing instrument of similar make, accuracy and performance of same series with maximum capacity upto 300kg. and with number of verification scale interval(n) in the range of 500 to 10,000 for 'e' value of 5g or more and with 'e' value  $1 \times 10^k$ ,  $2 \times 10^k$  or  $5 \times 10^k$ , k being positive or negative whole number or equal to zero, manufactured by the same manufacturer in accordance with the same principle, design and with the same materials with which, the approved said model has been manufactured.

[No. WM-21(201)/2000]

P. A. KRISHNAMOORTHY, Director, Legal Metrology

## पेट्रोलियम और प्राकृतिक गैस मंत्रालय

नई दिल्ली, 17 फरवरी, 2003

का.आ. 622.— केन्द्रीय सरकार पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उप-धारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 3152 तारीख 1 अक्टूबर 2002 द्वारा गुजरात राज्य में विरमगाम से राजस्थान राज्य में चाकसू से होते हुए हरियाणा राज्य में पानीपत तक सलाया मथुरा पाइपलाइन प्रणाली प्रयोजना के विरमगाम-चाकसू, चाकसू-पानीपत और चाकसू-मथुरा सेक्शनों के संवर्धन के क्रियान्वयन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा अपरिष्कृत तेल के परिवहन के लिए पाइपलाइन बिछाई जाने के प्रयोजन के लिए उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट राजस्थान राज्य के टोंक जिला में तहसील मालपुरा की भूमि में उपयोग का अधिकार अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 22 अक्टूबर 2002 को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन के तारीख से केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

## अनुसूची

तहसील : मालपुरा

जिला : टोंक

राज्य : राजस्थान

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
आँटोली	629/3	0	13	02
कुराड़	1017/1	0	06	60
	1017/2	0	08	80
	1017/3	0	11	11
	1017/4	0	07	81
	1017/5	0	03	26
	1149/2	0	29	12
	1149/3	0	06	60
	1149/4	0	06	38
	1149/5	0	04	84
	1149/6	0	06	60
	1170/1	0	04	62
	1170/2	0	06	58
	1170/3	0	06	60
	1169/8	0	00	75
	1337/1	0	01	31
	1396/1	0	04	81
स्याह	1102/1/11	0	20	57
बरोल	1/1/2	0	04	99
पचेवर	8559/4	0	10	73
	8556/1	0	02	85
	7496/2	0	19	33
	7496/3	0	03	47
	7438	0	00	07
मलीकपुर	56	0	01	52
	318	0	00	81
	317	0	00	86
	316	0	00	10

1	2	3	4	5
किरावल	1102/6 मिन	0	11	86
	1094	0	00	88
	498/1/2	0	04	63
	909	0	00	96
	677	0	00	07
आरनियाबस्सी	177	0	12	95

[फा. सं. आर-25011/13/2001-ओ.आर-1]

रेनुका कुमार, अवर सचिव

## Ministry of Petroleum and Natural Gas

New Delhi, the 17th February, 2003

S. O. 622.—Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas No. S.O. 3152, dated 01.10.2002 Issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land in Tehsil : Malpura, District : Tonk in Rajasthan State, specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by the Indian Oil Corporation Limited for implementing the "Augmentation of Viramgam-Chaksu, Chaksu-Panipat and Chaksu-Mathura sections of Salaya-Mathura Pipeline System Project";

And whereas, copy of the said notification was made available to the general public on 22 / 10 /2002;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vests from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

**SCHEDULE****Tehsil : Malpura****District : Tonk****State : Rajasthan**

Name of Village	Khasra No.	Area		
		Hectare	Are	Sq. mtr.
1	2	3	4	5
Antoli	629/3	0	13	02
Kurar	1017/1	0	06	60
	1017/2	0	08	80
	1017/3	0	11	11
	1017/4	0	07	81
	1017/5	0	03	26
	1149/2	0	29	12
	1149/3	0	06	60
	1149/4	0	06	38
	1149/5	0	04	84
	1149/6	0	06	60
	1170/1	0	04	62
	1170/2	0	06	58
	1170/3	0	06	60
	1169/8	0	00	75
	1337/1	0	01	31
	1396/1	0	04	81
Syah	1102/1/11	0	20	57
Barol	1/1/2	0	04	99
Pachewar	8559/4	0	10	73
	8556/1	0	02	85
	7496/2	0	19	33
	7496/3	0	03	47
	7438	0	00	07
Malikpur	56	0	01	52
	318	0	00	81
	317	0	00	86
	316	0	00	10



1	2	3	4	5
<b>Kirawal</b>	1102/6 मिन	0	11	86
	1094	0	00	88
	498/1/2	0	04	63
	909	0	00	96
	677	0	00	07
<b>Arniyabassi</b>	177	0	12	95

[No. R-25011/13/2001-O.R.-I]  
RENUKA KUMAR, Under Secy.

नई दिल्ली, 17 फरवरी, 2003

का.आ. 623.— केन्द्रीय सरकार पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 1620 तारीख 9 जुलाई 2001 द्वारा गुजरात राज्य में विरमगाम से राजस्थान राज्य में चाकसू से होते हुए हरियाणा राज्य में पानीपत तक सलाया मथुरा पाइपलाइन प्रणाली प्रयोजना के विरमगाम-चाकसू, चाकसू-पानीपत और चाकसू-मथुरा सेक्शनों के संवर्धन के क्रियान्वयन के लिए इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा अपरिष्कृत तेल के परिवहन के लिए पाइपलाइन बिछाई जाने के प्रयोजन के लिए उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट राजस्थान राज्य के टोंक जिला में तहसील मालपुरा की भूमि में उपयोग का अधिकार अर्जन करने के अपने आशय की घोषणा की थी;

पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 के अधीन जारी गाँव आंटौली, कुराड़, स्याह, पचेवर, मलीकपुर, किरावल एवं आरिनियाबस्सी की कुछ खसरा संख्याओं की बाबत धारा 3 (1) के अधीन अधिसूचना के संबंध में संशोधनकारी अधिसूचना का.आ. 2618 तारीख 13 अगस्त, 2002 द्वारा जारी की गई थी।

और उक्त संशोधनकारी अधिसूचना की प्रतियाँ जनता को तारीख 2 सितम्बर 2002 को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उप-धारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से उपाबद्ध अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः, अब केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाता है।

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उप-धारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन के तारीख को केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

## अनुसूची

तहसील : मालपुरा

जिला : डोंक

राज्य : राजस्थान

गाँव का नाम	खसरा संख्या	क्षेत्रफल		
		हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5
औटोली	955	0	19	80
कुराड़	1396/2	0	12	56
स्वाह	1115/2	0	03	69
पचेवर	2389	0	02	37
	8555/2	0	12	89
	8551/2/1	0	10	48
मलीकपुर	119/1	0	16	32
	334/1	0	10	34
किरावल	1102/1/2 Min	0	09	48
	1089	0	01	76
	1077	0	37	70
	1026	0	04	84
	1027	0	07	04
	1003	0	05	95
	937	0	09	24
	927	0	00	98
	928	0	04	80
	891	0	04	63
	890	0	00	50
	754	0	10	85
	528	0	07	91
	498/2	0	28	46
अरिनियाबस्ती	350/4	0	13	14
	335	0	11	00
	336	0	06	60
	401/6	0	06	16
	169	0	59	84

फुटनोट :

1. अधिसूचना सं. का.आ. 1620 तारीख 9 जुलाई 2001 भारत के राजपत्र भाग -II खंड -3, उपखण्ड (ii) तारीख 14.7.2001 में प्रकाशित हुआ।
2. अधिसूचना सं. का.आ. 2618 तारीख 13 अगस्त 2002 भारत के राजपत्र भाग -II खंड -3, उपखण्ड (ii) तारीख 17.8.2002 में प्रकाशित हुआ।

[फ. सं. आर-25011/13/2001-ओ.आर-I]

रेनुका कुमार, अवर सचिव

New Delhi, the 17th February, 2003

**S. O. 623.—Whereas by the notification of the Government of India, in the Ministry of Petroleum and Natural Gas Number S.O. 1620, dated the 9th July, 2001, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land in Tehsil : **Malpura**, District : **Tonk** in Rajasthan State specified in the Schedule appended to that notification for the purpose of laying pipeline for the transportation of crude oil from Viramgam in the State of Gujarat to Panipat in the State of Haryana via Chaksu in the State of Rajasthan by the Indian Oil Corporation Limited for implementing the "Augmentation of Viramgam- Chaksu, Chaksu- Panipat and Chaksu - Mathura sections of Salaya - Mathura Pipeline System Project;"**

An Amendment notification to notification U/s 3 (1) in respect of certain Khasara Numbers of Village : **Antoli, Kurar, Syah, Pachewar, Malikpur, Kirawal and Arniyabassi**, issued under sub-section (1) of Section 3 of Petroleum and Minerals pipelines (Acquisition of Right of User in Land) Act, 1962, was issued vide S.O. 2618, dated 13th August 2002.

And whereas, copy of the said Amendment notification was made available to the general public on the 2nd September, 2002;

And whereas, the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited, free from all encumbrances.

**SCHEDULE****Tehsil : Malpura****District : Tonk****State : Rajasthan**

Name of Village	Khasra No.	Area		
		Hectare	Are	Sq. mtr.
1	2	3	4	5
Antoli	955	0	19	80
Kurar	1396/2	0	12	56
Syah	1115/2	0	03	69
Pachewar	2389	0	02	37
	8555/2	0	12	89
	8551/2/1	0	10	48
Malikpur	119/1	0	16	32
	334/1	0	10	34
Kirawal	1102/1/2 Min	0	09	48
	1089	0	01	76
	1077	0	37	70
	1026	0	04	84
	1027	0	07	04
	1003	0	05	95
	937	0	09	24
	927	0	00	98
	928	0	04	80
	891	0	04	63
	890	0	00	50
	754	0	10	85
	528	0	07	91
	498/2	0	28	46
Arniyabassi	350/4	0	13	14
	335	0	11	00
	336	0	06	60
	401/6	0	06	16
	169	0	59	84

- Footnote: (i) Notification number S.O. 1620 dated 9th July 2001 was published in the Gazette of India Part - II Section 3, sub-section (ii) dated 14.7.2001
- (ii) Notification number S.O. 2618 dated 13th August 2002 was published in the Gazette of India Part - II Section 3, sub-section (ii) dated 17.8.2002

नई दिल्ली, 17 फरवरी, 2003

का. आ. 624.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं० का. आ. 2968 तारीख 16 सितम्बर, 2002 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-कोयली सेक्शन के संवर्धन के कार्यान्वयन के लिए, गुजरात राज्य में विरमगाम से कोयली तक अपरिष्कृत तेल के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 9 अक्टूबर, 2002 को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम के धारा 6 के उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निर्देश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

### अनुसूची

तालुका : दसक्रोई	जिला : अहमदाबाद	राज्य : गुजरात			
गाँव का नाम	सर्वे संख्या	क्षेत्रफल			
		उप-खण्ड सं.	हेक्टेयर	एयर	वर्ग मीटर
1	2	3	4	5	6
कमोड	213		0	03	82
	184		0	32	13

1	2	3	4	5	6
जैतलपुर	2439		0	08	82
	350		0	03	55
	351		0	03	16
	355		0	13	31

फुटनोटः

1. अधिसूचना संख्या का.आ०. 2968 तारीख 16 सितम्बर 2002 भारत के राजपत्र भाग II खण्ड 3 उपखण्ड (ii) तारीख 21 सितम्बर 2002 में प्रकाशित हुआ।

[फा. सं. आर-25011/6/2002-ओ.आर-1]

रेनुका कुमार, अवर सचिव

New Delhi, the 17th February, 2003

S. O. 624.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2968 dated the 16<sup>th</sup> September, 2002 issued under sub section (1) of section 3 of the Petroleum and Minerals pipelines ( Acquisition of Right of User in Land ) Act, 1962 (50 of 1962), (herein after referred to as the said Act) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam to Koyli in the State of Gujarat, a pipeline should be laid by the Indian Oil Corporation Limited for implementing the Augmentation of Viramgam – Koyli Section of Salaya-Mathura Pipeline System;

And, whereas, copies of the said notification were made available to the public on 9/10/2002;

And whereas, the Competent Authority has under sub-section (1) of section of 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

## SCHEDULE

TALUKA : Daskroi	District : Ahmedabad	State : Gujarat			
Name of the Village	Survey No.	Area			
		Sub-Division No.	Hectare	Are	Sq.mtr.
1	2	3	4	5	6
KAMOD	213		0	03	82
	184		0	32	13
JETAL PUR	2439		0	08	82
	350		0	03	55
	351		0	03	16
	355		0	13	31

## Footnote :

The notification Number S.O. 2968 dated the 16th September, 2002 was published in the Gazette dated 21st September 2002 under Part II Section 3 sub section (ii).

[No. R-25011/6/2002-O.R.-I]  
RENUKA KUMAR, Under Secy.

नई दिल्ली, 17 फरवरी, 2003

का. आ. 625.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं० का. आ. 2692 तारीख 20 अगस्त, 2002 द्वारा उस अधिसूचना से संलग्न अनुसूचि में विनिर्दिष्ट भूमि में इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-कोयली सेक्शन के संवर्धन के कार्यान्वयन के लिए, गुजरात राज्य में विरमगाम से कोयली तक अपरिष्कृत तेल के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 31 अगस्त, 2002 को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम के धारा 6 के उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

## अनुसूची

तालुका : विरमगाम		जिल्ला : अहमदाबाद		राज्य : गुजरात	
गाँव का नाम	सर्वे संख्या	क्षेत्रफल			
		उप-खण्ड संख्या	हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5	6
हांसलपुर सेरेश्वर	826	—	0	07	88

[फा. सं. आर-25011/45/2001-ओ.आर-1]

रेनुका कुमार, अवर सचिव

New Delhi, the 17th February, 2003

S. O. 625.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2692 dated 20<sup>th</sup> August, 2002 issued under sub section (1) of section 3 of the Petroleum and Minerals pipelines ( Acquisition of Right of User in Land ) Act, 1962 (50 of 1962), (herein after referred to as the said Act) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam to Koyli in the State of Gujarat, a pipeline should be laid by the Indian Oil Corporation Limited for implementing the Augmentation of Viramgam – Koyli Section of Salaya-Mathura Pipeline System;

And, whereas, copies of the said notification were made available to the public on 31/08/2002;

And whereas, the Competent Authority has under sub-section (1) of section of 6 of the said Act has submitted his report to the Central Government;



And whereas, the Central Government, after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

#### SCHEDULE

Taluka : VIRAMGAM		District : AHMEDABAD		State : GUJARAT	
Name of the Village	Survey No.	Sub-Division No.	Area		
			Hectare	Are	Sq. Mtr.
1	2	3	4	5	6
HANSALPUR SERESHVAR	826	---	0	07	88

[No. R-25011/45/2001-O.R.-I]  
RENUKA KUMAR, Under Secy.

नई दिल्ली, 17 फरवरी, 2003

का. आ. 626.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं० का. आ. 2693 तारीख 20 अगस्त, 2002 द्वारा उस अधिसूचना से संलग्न अनुसूचि में विनिर्दिष्ट भूमि में इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-कोयली सेक्शन के संवर्धन के कार्यान्वयन के लिए, गुजरात राज्य में विरमगाम से कोयली तक अपरिष्कृत तेल के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के लिए अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 31 अगस्त, 2002 को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम के धारा 6 के उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

**अनुसूची**

तालुका : साणंद		जिल्ला : अहमदाबाद		राज्य : गुजरात	
गाँव का नाम	सर्वे संख्या	क्षेत्रफल			
		उप-खण्ड संख्या	हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5	6
खोडा	34	4	0	01	72
	300	1	0	02	34
	225	1	0	02	31
साणंद	2088		0	04	23
	2079	1	0	00	88
	2079	2	0	01	73
	2080	1	0	02	94
	2080	2	0	02	06

[फा. सं. आर-25011/45/2001-ओ.आर-1]

रेनुका कुमार, अवर सचिव

New Delhi, the 17th February, 2003

S. O. 626.— Whereas by the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2693 dated the 20<sup>th</sup> August, 2002 issued under sub section (1) of section 3 of the Petroleum and Minerals pipelines ( Acquisition of Right of User in Land ) Act, 1962 (50 of 1962), (herein after referred to as the said Act) the Central Government declared its intention to acquire the right of user in the lands specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam to Koyli in the State of Gujarat, a pipeline should be laid by the Indian Oil Corporation Limited for implementing the Augmentation of Viramgam – Koyli Section of Salaya-Mathura Pipeline System;

And, whereas, copies of the said notification were made available to the public on 31/08/2002;

And whereas, the Competent Authority has under sub-section (1) of section 6 of the said Act has submitted his report to the Central Government;

And whereas, the Central Government, after considering the said report is satisfied that the right of user in the land specified in the Schedule appended to this Notification should be acquired;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the lands specified in the schedule appended to this notification is hereby acquired;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited free from all encumbrances.

#### SCHEDULE

Taluka : SANAND						District : AHMEDABAD		State : GUJARAT	
Name of the Village	Survey No.	Sub-Division No.	Area						
			Hectare	Are	Sq. Mtr.				
1	2	3	4	5	6				
KHODA	34	4	0	01	72				
	300	1	0	02	34				
	225	1	0	02	31				
SANAND	2088		0	04	23				
	2079	1	0	00	88				
	2079	2	0	01	73				
	2080	1	0	02	94				
	2080	2	0	02	06				

[No. R-25011/45/2001-O.R.-I]  
RENUKA KUMAR, Under Secy.

नई दिल्ली, 17 फरवरी, 2003

का. आ. 627.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं० का. आ. 2694 तारीख 20 अगस्त, 2002 द्वारा संशोधित अधिसूचना का.आ.-294 तारीख 30 जनवरी 2002 द्वारा उस अधिसूचना से संलग्न अनुसूचि में विनिर्दिष्ट भूमि में इंडियन ऑयल कॉर्पोरेशन लिमिटेड द्वारा सलाया-मथुरा पाइपलाइन प्रणाली के विरमगाम-कोयली सेक्शन के संवर्धन के

कार्यान्वयन के लिए, गुजरात राज्य में विरमगाम से कोयली तक अपरिष्कृत तेल के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी;

और उक्त अधिसूचना की प्रतियाँ जनता को तारीख 31 अगस्त, 2002 को उपलब्ध करा दी गई थी;

और सक्षम प्राधिकारी ने उक्त अधिनियम के धारा 6 के उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार का उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो गया है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन किया जाना चाहिए।

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार का अर्जन किया जाता है;

और केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त इंडियन ऑयल कॉर्पोरेशन लिमिटेड में निहित होगा।

#### अनुसूची

तालुका : साणंद	जिल्ला : अहमदाबाद	राज्य : गुजरात			
गाँव का नाम	सर्वे संख्या	क्षेत्रफल			
		उप-खण्ड संख्या	हेक्टर	एयर	वर्ग मीटर
1	2	3	4	5	6
खोडा	39		0	01	74
	17	1	0	00	20
	17	3	0	01	67
	17	4	0	03	43
	3	1+2	0	01	54
	3	5	0	01	03
	3	6	0	00	54
	3	7	0	01	82
	4	2	0	02	24
	4	3	0	01	23
	232	3	0	01	03
	232	4	0	01	65
	232	5	0	01	98
	233	5	0	01	88
	233	6	0	01	84

1	2	3	4	5	6
खोटा जारी	233	7	0	01	92
	223	3	0	05	51
	223	4	0	03	11
	204		0	07	71
	203		0	04	35
	202		0	04	02
सागंद	2064	2	0	08	53
	2070		0	08	85
	2089		0	35	80

[फा. सं. आर-25011/45/2001-ओ.आर-1]

रेनुका कुमार, अवर सचिव

New Delhi, the 17th February, 2003

S. O. 627.—Whereas by the notification of the Government of India, in the Ministry of Petroleum and Natural Gas Number S.O. 294, dated the 30th January, 2002, as amended by S.O No. 2694 dated 20th August 2002 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land specified in the schedule appended to that notification for the purpose of laying pipeline for the transportation of Crude Oil from Viramgam to Koyli in the State of Gujarat, a pipeline should be laid by Indian Oil Corporation Limited for implementing the Augmentation of Viramgam- Koyli section of Salaya - Mathura Pipeline System;

And whereas, copies of the said notification were made available to the public on the 31st August, 2002;

And whereas, the Competent Authority has, under sub-section (1) of Section 6 of the said Act, submitted his report to the Central Government;

And whereas the Central Government after considering the said report is satisfied that the right of user in the land specified in the Schedule to this Notification should be acquired.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired.

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the central Government hereby directs that the right of user in the said land shall, instead of vesting in the Central Government, vest from the date of publication of this declaration, in the Indian Oil Corporation Limited, free from all encumbrances.

**SCHEDULE**

Taluka : SANAND		District : AHMEDABAD		State : GUJARAT		
Name of the Village	Survey No.	Sub-Division No.	Area			
			Hectare	Are	Sq. Mtr.	
1	2	3	4	5	6	
KHODA	39		0	01	74	
	17	1	0	00	20	
	17	3	0	01	67	
	17	4	0	03	43	
	3	1+2	0	01	54	
	3	5	0	01	03	
	3	6	0	00	54	
	3	7	0	01	82	
	4	2	0	02	24	
	4	3	0	01	23	
	232	3	0	01	03	
	232	4	0	01	65	
	232	5	0	01	98	
	233	5	0	01	88	
	233	6	0	01	84	
	233	7	0	01	92	
	223	3	0	05	51	
	223	4	0	03	11	
	204		0	07	71	
	203		0	04	35	
	202		0	04	02	
	SANAND	2084	2	0	08	53
		2070		0	08	65
		2089		0	36	80

[No. R-25011/45/2001-O.R.-I]  
RENUKA KUMAR, Under Secy.

नई दिल्ली, 17 फरवरी, 2003

का. आ. 628.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात् उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं० का० आ० 293 तारीख 30 जनवरी, 2002 जिसका संशोधन का० आ० 3075 तारीख 25 सितम्बर, 2002 द्वारा किया गया था, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में, मैसर्स गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड द्वारा मैसर्स रिलायंस इण्डस्ट्रीज लिमिटेड, जो मैसर्स गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड की संप्रवर्तक कम्पनी है, के गोवा उत्तरी/दक्षिणी अपतट के खोज ब्लाकों और आन्ध्रप्रदेश में संरचनाओं से आन्ध्रप्रदेश राज्य में रंगारेडडी जिले के विभिन्न उपभोक्तों तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार के अर्जन करने के अपने आशय की घोषणा की थी ;

और, उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 5 मार्च, 2002 और 1 नवम्बर, 2002 को उपलब्ध करा दी गई थीं ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और, केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात् यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, और इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग का अधिकार अर्जन करने का विनिश्चय किया है ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त, मैसर्स गैस ट्रांसपोर्टेशन एंड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड में निहित होगा।

अनुसूची					
मण्डल : मरपल्लि		जिला : रंगारेड्डी		राष्ट्र : आन्ध्रप्रदेश	
गांव का नाम	सर्वे नंबर	सब-डिविजन नंबर	हेक्टेर	ऐर	सि-ऐर
1	2	3	4	5	6
1. घनापूर	70	-	0	60	00
	87	-	0	33	00
	89	-	0	45	00
कुल	3	-	1	38	00
2. कामसेट्टिपल्लि	36	-	0	22	00
	53	-	0	16	00
	54	-	0	61	00
	151	-	0	12	00
	155	-	0	06	00
	156	-	0	78	00
	214	-	0	40	00
	229	-	0	42	00
	256	-	0	30	00
	271	-	0	84	00
कुल	10	-	3	91	00
3. मोगिलिगुण्डला	118	-	0	16	00
	121	-	0	72	00
	131	-	0	94	00
	136	-	0	18	00
	137	-	0	17	00
कुल	5	-	2	17	00
मण्डल : खुतबुल्लापूर		जिला : रंगारेड्डी		राष्ट्र : आन्ध्रप्रदेश	
1. दुण्डिगल	717	-	0	18	00
	718	-	0	91	00
कुल	2	-	1	09	00
2. गागिलापूर	160	-	0	66	00
	163	-	0	56	35
कुल	2	-	1	22	35

New Delhi, the 17th February, 2003

S. O. 628.—Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas, number S.O.293 dated the 30<sup>th</sup> January, 2002 amended by number S.O. 3075 dated the 25<sup>th</sup> September, 2002 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of the natural gas from the exploration blocks in the Northern/Southern Offshore of Goa and Structures in Andhra Pradesh of M/s Reliance Industries Limited, the promoter company of M/s Gas Transportation and Infrastructure Company Limited to the various consumers of District Rangareddy in the State of Andhra Pradesh, a Pipeline should be laid by M/s Gas Transportation and Infrastructure Company Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 5<sup>th</sup> day of March 2002 and 1<sup>st</sup> day of November 2002;

And whereas the Competent Authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And further whereas the Central Government has, after considering the said report and on being satisfied that the said land is required for laying pipeline and has decided to acquire the right of user in the lands specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired, for laying the pipeline.;

And further in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land shall instead of vesting in the Central Government, vest on this date of publication of this declaration, in Gas Transportation and Infrastructure Company Limited, free from all encumbrances.

SCHEDULE					
Mandal : Marpalli		District : Rangareddy		State : Andhra Pradesh	
AREA					
Name of the Village	Survey No	Sub-Division No	Hectare	Are	C-Are
1	2	3	4	5	6
1. Ghanpur	70	-	0	60	00
	87	-	0	33	00
	89	-	0	45	00
Total	3	-	1	38	00
2. Kamsettpalli	36	-	0	22	00
	53	-	0	16	00
	54	-	0	61	00
	151	-	0	12	00
	155	-	0	06	00
	156	-	0	78	00
	214	-	0	40	00
	229	-	0	42	00
	256	-	0	30	00
	271	-	0	84	00
Total	10	-	3	91	00



1	2	3	4	5	6
3. Mogiligundla	118	-	0	16	00
	121	-	0	72	00
	131	-	0	94	00
	136	-	0	18	00
	137	-	0	17	00
<b>Total</b>	<b>5</b>	<b>-</b>	<b>2</b>	<b>17</b>	<b>00</b>
<b>Mandal : Outbullapur</b>	<b>District : Rangareddy</b>		<b>State : Andhra Pradesh</b>		
1. Dundigal	717	-	0	18	00
	718	-	0	91	00
<b>Total</b>	<b>2</b>	<b>-</b>	<b>1</b>	<b>09</b>	<b>00</b>
2. Gagilapur	160	-	0	66	00
	163	-	0	56	35
<b>Total</b>	<b>2</b>	<b>-</b>	<b>1</b>	<b>22</b>	<b>35</b>

[No. L-14014/4/01-G.P.]  
SWAMY SINGH, Director

नई दिल्ली, 17 फरवरी, 2003

का. आ. 629.— केन्द्रीय सरकार ने, पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं. का. आ. 1148 तारीख 1 अप्रैल, 2002 द्वारा उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में मैसर्स गैस ट्रांसपोर्टेशन कम्पनी लिमिटेड द्वारा मैसर्स रिलायंस इन्डस्ट्रीज लिमिटेड जो मैसर्स गैस ट्रांसपोर्टेशन एण्ड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड की संप्रवर्तक कंपनी है, के गोवा के उत्तरी दक्षिणी अपतट के खोज ब्लाकों और आन्ध्रप्रदेश में संरचनाओं से कर्नाटक राज्य के बेलगाम जिले के विभिन्न उपभोक्ताओं तक प्राकृतिक गैस के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 14 मई 2002 को उपलब्ध करा दी गई थीं ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है ;

और, केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाए सभी विल्लंगमों से मुक्त मैसर्स गैस ट्रांसपोर्टेशन एण्ड इन्फ्रास्ट्रक्चर कम्पनी लिमिटेड में निहित होगा।

अनुसूची 6 (1)							
तालुका चिकोडी							
अ. क्र.	गांव का नाम	सर्वे नं.	खिस्त नं.	गट नं.	सब्ज कर्नाटक		
					हेक्टर	आर	सेंटीआर
1	2	3	4	5	6	7	8
1	कुली	दूदगंगा नदी सर्वे नं. 303 और कावलगी गांव के सीमा के बीच में			0	11	40
		330	1A1		0	18	00
		332	1		0	01	30
		332	2		0	04	80
		332	4		0	04	20
		332	5		0	04	90
		332	10		0	00	10
		332	11		0	00	30
		332	12		0	01	90
		नाला, सर्वे नं. 330 में			0	01	30
		नाला, सर्वे नं. 335 और 331, 332 के बीच में			0	03	90
		331	1		0	00	10
		331	2		0	00	40
		331	3		0	00	70
		331	4		0	00	80
		331	5		0	01	00
		नाला, सर्वे नं. 335 और 331, 332 के बीच में			0	02	40
		335	11		0	02	00
		335	12		0	00	80
		335	14		0	06	80
		336	4		0	03	60
		336	5		0	03	00
		336	6		0	06	00
		336	9		0	00	40
		336	10		0	06	00
		336	11		0	06	00
		336	12		0	06	00
		336	15		0	00	20
		336	16		0	00	40
		336	17		0	00	50
		337	1		0	16	50
		337	2		0	07	30
		रास्ता, सर्वे नं. 337 और 345 के बीच में			0	02	40
		346	8		0	12	80
		351	4		0	09	20

जलका विवरण		जिला रजिस्ट्रार		सम्पन्न कानून			
अ. क्र.	गंव का नाम	सर्वे नं.	जिल्ला नं.	पट नं.	क्षेत्र		
					इंटेर	बार	सेंटिबार
1	2	3	4	5	6	7	8
	कुरली नौरत	351	5		0	09	00
		352	3		0	08	10
		352	4		0	08	40
		353			0	27	00
	कुल				1	99	90
2	अप्राधिकृत	38 मंदिर भूमि			0	43	20
		39 मंदिर भूमि			0	61	00
		39	1		0	04	50
		42			0	08	40
		41			0	90	40
		34			0	00	50
		42	2		0	00	40
		46			0	56	10
		47			0	07	40
		48 (सरकारी भूमि और अन्य)			0	42	50
		49 सरकारी गैरापन			0	08	90
		सस्ता, सर्वे नं. 49 और 50 के बीच में			0	03	90
		50 (सरकारी और अन्य)	2		0	25	90
		51	3		0	08	20
		51	2		0	08	80
		52 सरकारी गैरापन			0	61	30
		सस्ता, सर्वे नं. 52 और 53 के बीच में			0	04	80
		53			0	64	30
		54 (सरकारी और अन्य)			0	16	50
		57 (सरकारी और अन्य)	1		0	40	60
		57	2		0	57	40
		वाला, सर्वे नं. 57 में			0	01	30
		सस्ता, सर्वे नं. 58 और 75/1, 76/1 के बीच में			0	06	10
		76	1		0	16	20
		75	1+2A		0	25	20
		75	1+2B		0	34	80
		74			0	56	20
		84			0	76	30
		85			0	01	40
		93	1		0	74	00
		93	2		0	33	00

तालुका विकोडी		जिला बेलगाम		राज्य कर्नाटक			
अ. क.	गांव का नाम	सर्वे नं.	हिस्सा नं.	गट नं.	क्षेत्र		
1	2	3	4	5	हेक्टेर	आर	सेंटीआर
	अप्पाचीवाडि नीरतरं	100			0	01	90
		101			0	01	30
		92	2		0	05	30
		102			1	03	30
		103	1		0	13	70
	गाडी रास्ता, सर्वे नं. 103 और कुदनुर गांव के सीमा के बीच में				0	03	30
	कुल				10	69	00
3	कोमनोली	596			1	05	20
		617			1	04	40
		629			0	87	40
		628			0	02	60
		630			0	65	40
		631	2		0	87	00
		636			1	36	80
		637			0	83	80
	रास्ता, सर्वे नं. 639 में (रा हे - 4)				0	05	60
		639	1		0	32	90
		639	2		0	47	10
		640	1		0	30	00
		640	2		0	36	90
		646			0	31	20
	रास्ता, सर्वे नं. 645 और 652 के बीच में				0	04	70
		652	3+2+1		0	19	80
		652	5		0	07	50
		652	6		0	10	00
		652	18		0	07	40
		652	19		0	07	60
		652	20		0	23	70
		652	21		0	07	50
		652	22		0	05	10
		652	23		0	05	30
		652	24		0	04	80
		652	25		0	11	90
		652	26		0	12	50
		652	27		0	09	50

तालुका चिकोडी		जिला बेलगाम		राज्य कर्नाटक			
अ. क्र.	गांव का नाम	सर्वे नं.	हिस्सा नं.	गट नं.	क्षेत्र		
1	2	3	4	5	हेक्टेर	आर	सेंटीआर
	कोगनेळी नीरतर	652	28		0	01	30
	रास्ता, सर्वे नं. 652 और 721 के बीच में				0	04	40
	721		1		0	03	30
	721		2		0	03	30
	721		3		0	05	90
	721		4		0	04	50
	720				0	21	20
	719		3		0	08	20
	717		1+2		0	04	60
	716		1		0	02	40
	716		2		0	02	80
	715		8		0	01	80
	758		1B		0	80	40
	758		2		0	32	40
	758		3		0	25	60
	758		4		0	26	90
	756				0	08	40
	दूदगंगा नदी सर्वे नं. 756 और कगल गांव के सीमा के बीच में				0	07	40
	कुल				12	38	40

[ फा. सं. एल.-14014/20/02-जी.पी.: ]

स्वामी सिंह, निदेशक

New Delhi, the 17th February, 2003

S. O. 629.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas, number S.O.1148 dated the 1<sup>st</sup> April, 2002 published in the Gazette of India dated the 6<sup>th</sup> April, 2002 issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of natural gas from, the exploration blocks in the Northern/Southern Offshore of Goa and Structures in Andhra Pradesh of M/s Reliance Industries Limited, the promoter company of M/s Gas Transportation and Infrastructure Company Limited to the various consumers of District Belgaum in the State of Karnataka by M/s Gas Transportation and Infrastructure Company Limited;

And whereas the copies of the said Gazette notification were made available to the public on the 14<sup>th</sup> May 2002;

And whereas the Competent Authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government after considering the said report and on being satisfied that the said land is required for laying pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired, for laying the pipeline.;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest, on the date of publication of the declaration, in Gas Transportation and Infrastructure Company Limited, free from all encumbrances.

SCHEDULE - 6(1)							
Taluka - Chikodi		District : Belgaum			State : Karnataka		
Sl. No.	Village Name	Survey No.	Hissa No.	Gat No.	Area		
					Hectare	Are	Centiare
1	2	3	4	5	6	7	8
1	Kurli	Dud Ganga River between					
		Kawalgi Boundry & Sy. No. 330			0	11	40
		330	1A1		0	18	00
		332	1		0	01	30
		332	2		0	04	80
		332	4		0	04	20
		332	5		0	04	90
		332	10		0	00	10
		332	11		0	00	30
		332	12		0	01	90
		Nala in Sy. No. 330			0	01	30
		Nala between Sy. No. 335 & 331, 332			0	03	90
		331	1		0	00	10
		331	2		0	00	40
		331	3		0	00	70
		331	4		0	00	80
		331	5		0	01	00
		Nala between Sy. No. 335 & 331, 332			0	02	40
		335	11		0	02	00
		335	12		0	00	80
		335	14		0	06	80
		336	4		0	03	60
		336	5		0	03	00
		336	6		0	06	00
		336	9		0	00	40
		336	10		0	06	00
		336	11		0	06	00
		336	12		0	06	00
		336	15		0	00	20
		336	16		0	00	40
		336	17		0	00	50
		337	1		0	16	50
		337	2		0	07	30
		Road between Sy. No. 337 & 345			0	02	40

Taluka - Chikodi		District : Belgaum			State : Karnataka		
Sl. No.	Village Name	Survey No.	Hissa No.	Gat No.	Area		
					Hectare	Are	Centiare
1	2	3	4	5	6	7	8
	Kurli Contd	346	8		0	12	80
		351	4		0	09	20
		351	5		0	09	00
		352	3		0	08	10
		352	4		0	08	40
		353			0	27	00
Total: -					1	99	90
2	Appachiwadi	38 Temple Land			0	43	20
		39 Temple Land			0	61	00
		39	1		0	04	50
		42			0	08	40
		41			0	90	40
		34			0	00	50
		42	2		0	00	40
		46			0	56	10
		47			0	07	40
		48 (Govt & Others)			0	42	50
		49 Govt Gairana			0	08	90
		Road between Sy. No. 49 & 50			0	03	90
		50 Govt & others	2		0	25	90
		51	3		0	08	20
		51	2		0	08	80
		52 Govt Gairana			0	61	30
		Road between Sy. No. 52 & 53			0	04	80
		53			0	64	30
		54 Govt & others			0	16	50
		57 Govt & others	1		0	40	60
		57	2		0	57	40
		Canal in Sy. No. 57			0	01	30
		Road between Sy. No. 58 & 75/1, 76/1			0	06	10
		76	1		0	16	20
		75	1+2A		0	25	20
		75	1+2B		0	34	80
		74			0	56	20
		84			0	76	30

Taluka - Chikodi		District : Belgaum			State : Karnataka		
Sl. No.	Village Name	Survey No.	Hissa No.	Gat No.	Area		
					Hectare	Are	Centiare
1	2	3	4	5	6	7	8
	Appachiwadi Cond	85			0	01	40
		93	1		0	74	00
		93	2		0	33	00
		100			0	01	90
		101			0	01	30
		92	2		0	05	30
		102			1	03	30
		103	1		0	13	70
	Cart Track between Sy. No. 103 & Kudnur Boundry				0	03	30
	Total: -				10	69	00
3	Koganoli	596			1	05	20
		617			1	04	40
		629			0	87	40
		628			0	02	60
		630			0	65	40
		631	2		0	87	00
		636			1	36	80
		637			0	83	80
	Road in Sy. No. 639 (NH - 4)				0	05	60
		639	1		0	32	90
		639	2		0	47	10
		640	1		0	30	00
		640	2		0	36	90
		646			0	31	20
	Road between Sy. No. 645 & 652				0	04	70
		652	3+2+1		0	19	80
		652	5		0	07	50
		652	6		0	10	00
		652	18		0	07	40
		652	19		0	07	60
		652	20		0	23	70
		652	21		0	07	50
		652	22		0	05	10
		652	23		0	05	30



Taluka - Chikodi		District : Belgaum			State : Karnataka		
Sl. No.	Village Name	Survey No.	Hissa No.	Gat No.	Area		
					Hectare	Are	Centiare
1	2	3	4	5	6	7	8
	Koganoli Contd	652	24		0	04	80
		652	25		0	11	90
		652	26		0	12	50
		652	27		0	09	50
		652	28		0	01	30
	Road between Sy. No. 652 & 721				0	04	40
		721	1		0	03	30
		721	2		0	03	30
		721	3		0	05	90
		721	4		0	04	50
		720			0	21	20
		719	3		0	08	20
		717	1+2		0	04	60
		716	1		0	02	40
		716	2		0	02	80
		715	8		0	01	80
		758	1B		0	80	40
		758	2		0	32	40
		758	3		0	25	60
		758	4		0	26	90
		756			0	08	40
	Doodh Ganga River between Sy. No. 756 & Kagal Boundry				0	07	40
Total: -					12	38	40

[No. L-14014/20/02-G.P.]  
SWAMY SINGH, Director

नई दिल्ली, 18 फरवरी, 2003

का. आ. 630.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन भारत के राजपत्र तारीख 20 जुलाई 2002 में प्रकाशित भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं० का. आ. 2353 तारीख 11 जुलाई 2002 द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कार्पोरेशन लिमिटेड की समनुषंगी) द्वारा मुन्द्रा-भटिंडा अपरिष्कृत तेल पाइपलाइन परियोजना के माध्यम से गुजरात राज्य में मुन्द्रा पत्तन स्थित अपरिष्कृत तेल संस्थापन (सी० ओ० टी०) से पंजाब राज्य में भटिंडा तक पेट्रोलियम उत्पादों के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 27 अगस्त 2002 को उपलब्ध करा दी गई थीं ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है ;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है ;

और, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए यह निदेश देती है कि पाइपलाइन बिछाने के लिए उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख से केन्द्रीय सरकार में निहित होने की बजाए सभी वित्तलंगमों से मुक्त गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कारपोरेशन लिमिटेड की समनुषंगी) में निहित होगा।

### अनुसूची

तालुका :- सातलपुर

जिला :- पाटणा

राज्य :- गुजरात

गाँव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(1) सातलपुर	151	पेकी कार्ट ट्रेक पेकी	00	20	17
	152		00	38	88
	153		00	06	62
	154		00	18	61
	179		00	37	13
	198		00	01	42
	198		00	21	01
	204		00	15	00
	203		00	01	05
	206		00	27	24
	207		00	04	84
	208		00	28	56
	209		00	11	65
	210		00	24	17
	211		00	18	83
	190		00	50	82
	189		00	06	43
	219		00	30	01
(2) पर	838		00	23	47
	833/1		00	36	80
	842		00	01	84
	843		00	13	51
	844		00	08	69

तालुका :- सातलपुर

जिला :- पाटण

राज्य :- गुजरात

गाँव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(2) पर (जारी)	845		00	01	66
	825		00	42	25
	824		00	07	44
	823		00	34	69
	819		00	30	28
	813/1		00	10	86
	815		00	44	34
	816		00	00	05
	814/1		00	35	29
	814/2		00	00	09
	794		00	13	33
	793		00	17	15
	792		00	16	72
	791		00	17	02
	645	पैकी	00	69	55
	646		00	14	96
	647		00	68	35
	648	पैकी	00	36	37
	649		00	38	08
	656		00	19	92
	657		00	32	09
	658		00	50	11
	663/1		00	17	29
	663/2		00	14	48
	---	कार्ट ट्रैक	00	09	36
	669		00	45	59
	670		00	21	47
	676		00	20	65
	675		00	15	46
	674		00	16	24
	673		00	01	32
	484		00	12	89

तालुका :- सातलपुर

जिला :- पाटण

राज्य :- गुजरात

गाँव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हक्टर	आर	सन्टी आर
1	2	3	4		
(2) पर (जारी)	485		00	01	74
	482		00	09	59
	486		00	00	22
	481		00	08	12
	478		00	00	74
	487		00	19	48
	488		00	09	91
	477/1		00	22	01
	474		00	21	92
	490		00	00	49
	473		00	14	06
	472		00	02	89
	470		00	31	82
	467		00	30	02
	464		00	10	52
	465		00	17	80
	463		00	32	68
	459		00	30	62
	435	पैकी	00	28	44
(3) छानसरा	48		00	14	39
	49		00	26	26
	50		00	09	15
	51		00	59	06
	53		00	42	14
	---	कार्ट ट्रैक	00	02	72
	61	पैकी	00	41	22
	61	पैकी कार्ट ट्रैक	00	01	10
	65		00	60	18

तालुका :- सातलपुर

जिला :- पाटण

राज्य :- गुजरात

गाँव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(3) सनसरा (जमी)	66		00	00	63
	64	पैकी	00	27	69
	64	पैकी	00	18	28
	74		00	31	51
	81		00	02	60
	82		00	32	89
	85		00	41	67
	84	पैकी	00	17	28
	---	कार्ट ट्रैक	00	02	42
	108		00	20	30
	88		00	09	50
	107		00	27	90
	---	कार्ट ट्रैक	00	02	42
	118		00	10	71
	119		00	22	44
	116		00	09	14
	120		00	15	20
	164		00	25	94
	165		00	08	38
	166		00	23	65
	186		00	19	05
	187		00	11	63
	188	पैकी	00	20	25
	190		00	19	65
	189		00	12	23
	191		00	00	48
	192		00	21	49
	193		00	25	59

तालुका :- सांतलपुर

जिला :- पाटण

राज्य :- गुजरात

गाँव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(3) छानसरा (जारी)	---	कार्ट ट्रेक	00	00	13
	194	पैकी	00	43	62
	194	पैकी	00	01	10
	200	पैकी	00	32	82
	200	पैकी	00	04	38
	207	पैकी	00	37	64
	207	पैकी	00	01	10
	206	कार्ट ट्रेक	00	42	36
	45	पैकी	00	12	76
(4) दर्दगामडा	32	पैकी	00	24	63
	32	पैकी	00	01	10
	19	पैकी	00	24	28
	19	पैकी	00	42	94
	17		00	10	98
	20	पैकी	00	47	16
	20	पैकी	00	24	30
	13		00	18	51
	12		00	26	06
	11		00	20	03
	28		00	64	60
	29		00	00	44
	36		00	00	48
	34		00	41	44
	---	कार्ट ट्रेक	00	01	69
	82/1		00	33	59
	82/2		00	10	48
	83		00	33	31
	---	कार्ट ट्रेक	00	01	04

तालुका :- सातसपुर

जिला :- पाटण

राज्य :- गुजरात

गाँव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(4) दर्ईगामडा (जारी)	84		00	26	99
	90		00	28	46
	89		00	32	75
	103	पैकी	00	43	44
	103	पैकी कार्ट ट्रेक	00	01	00
	103	पैकी कार्ट ट्रेक	00	01	00
	103	पैकी कार्ट ट्रेक	00	01	00
	104	पैकी	00	28	60
	104	पैकी	00	16	28
	126	पैकी	00	22	22
	126	पैकी	00	12	01
	---	कार्ट ट्रेक	00	02	41
	127		00	06	26
	125		00	13	28
	---	कार्ट ट्रेक	00	01	39
	124		00	31	12
	119		00	15	07
	123		00	06	94
	120		00	44	66
	121		00	07	08
(5) बामरोली	196		00	01	27
	182		00	44	11
	180	पैकी	00	12	70
	174		00	25	90
	175		00	31	30
	172	पैकी	00	32	89
	171/1		00	04	00
	148		00	15	64

तालुका :- सांतलपुर .

जिला :- पाटण

राज्य :- गुजरात

गाँव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(5) बागरोली (जमी)	150		00	17	59
	152		00	44	08
	153		00	37	93
	154		00	17	76
	---	कार्ट ट्रैक	00	05	21
	128		00	30	93
	127		00	08	60
	126		00	22	87
	125		00	26	59
	518	पैकी	00	29	12
	518	पैकी	00	48	80
	518	पैकी	00	30	56
	30	पैकी	00	27	08
	30	पैकी	00	01	00
	29/1	कार्ट ट्रैक	00	05	15
	29/2		00	14	52
	28		00	16	89
	27		00	25	54
	25		00	10	09
	22		00	08	62
	21		00	14	88
	20		00	31	64
	18		00	27	44
(6) डामी	44/1		00	21	77
	44/2		00	12	56
(7) उन्नरोट	186		00	34	61
	184		00	25	39
	181		00	01	80



तालुका :- सातसपुर

जिला :- पाटण

राज्य :- गुजरात

गाँव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(7) उनरोट (जारी)	179		00	24	34
	178		00	39	33
	177		00	09	38
	154		00	25	93
	162		00	27	60
	161	पैकी	00	10	74
	161	पैकी कार्ट ट्रैक	00	01	00
	163		00	20	29
	164		00	35	70
	165		00	10	07
	167		00	13	55
	14	पैकी	01	33	89
	14	पैकी	00	28	34
	14	पैकी कार्ट ट्रैक	00	01	08
	16/2		00	32	78
	29	पैकी	00	23	58
	29	पैकी कार्ट ट्रैक	00	01	08
	28	पैकी	00	03	93
	28	पैकी कार्ट ट्रैक	00	01	08
	30		00	29	15
	37		00	18	13
	38	पैकी	00	20	04
	38	पैकी कार्ट ट्रैक	00	09	57
	40		00	34	60
	42		00	32	34
	41		00	21	57
(8) जारुसा	146		00	43	21
	149	पैकी	00	20	56
	150		00	33	71
	143	पैकी	00	00	86
	143	पैकी कार्ट ट्रैक	00	00	50

तालुका :- सातलपुर

जिला :- पालन

राज्य :- गुजरात

गाँव का नाम	(खसरा) सर्वेक्षण क्रमांक	मिस्सा क्रमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(8) जारुसा (जमी)	142	पैकी	00	00	50
	142	पैकी	00	26	09
	151		00	28	18
	53	पैकी	03	64	08
	53	पैकी	00	00	93
	53	पैकी	00	00	93
	53	पैकी	00	00	93
	53	पैकी	00	00	93
	304		00	14	96
	53	पैकी	00	00	93
	306	पैकी	00	53	65
	303/1		00	20	24
	303/2		00	26	10
	302	पैकी	00	01	08
	302	पैकी	00	27	45
	300		00	02	60
	301		00	09	00
	298		00	26	36
	297	पैकी	00	33	26
(9) झेकडा	581		00	19	01
	582		00	13	36
	583		00	27	86
	585	पैकी	00	26	21
	591		00	20	05
	592		00	24	52
	593		00	15	13
	594		00	02	25
	---		00	01	10
	610		00	24	38
	607	पैकी	00	26	80
	607	पैकी	00	01	92

तालुका :- सातलपुर

जिला :- पादण

राज्य :- गुजरात

गाँव का नाम	(खसरा) सर्वेक्षण क्रमांक	हिस्सा क्रमांक	क्षेत्रफल		
			इक्कर	आर	सेन्टी आर
1	2	3	4		
(9) डोकडा (जहरी)	627	पैकी	00	31	25
	628		00	32	67
	7		00	08	44
	---		00	02	04
	6	कार्ट ट्रेक	00	28	60
	5		00	13	32
	4		00	05	88
	23		00	01	08
	24	पैकी	00	27	64
	---		00	02	20
	87		00	16	56
	86		00	22	32
	85	कार्ट ट्रेक	00	32	12
	---		00	01	56
	108		00	25	96
	---		00	02	92
	107	पैकी	00	46	32
	100		00	05	40
	106		00	15	64
	105		00	10	40
	101	कार्ट ट्रेक	00	13	64
	102		00	16	00
	---		00	05	12
	270		00	20	44
	268	पैकी	00	19	77
	268		00	11	28
	266		00	20	80
	264		00	18	40
	261	पैकी	00	21	96
	262		00	43	20
	262		00	00	93
	262		00	00	93

तालुका :- सांतलपुर

जिला :- पाटण

राज्य :- गुजरात

गाँव का नाम	(खसरा) सर्वेक्षण कमांक	हिस्सा कमांक	क्षेत्रफल		
			हेक्टर	आर	सेन्टी आर
1	2	3	4		
(9) झेकडा (जारी)	254		00	17	10
	255	पेकी	00	01	08
	253	पेकी	00	13	16
	253	पेकी	00	30	12
	251		00	10	62
	250		00	40	82
	245		00	27	10
	246	पेकी	00	24	15
	238		00	44	26

[फा. सं. आर-31015/9/2002-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 18th February, 2003

S. O. 630.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O.2353 dated the 11<sup>th</sup> July 2002, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), (hereinafter referred to as the said Act), published in the Gazette of India, dated the 20<sup>th</sup> July 2002, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of petroleum products from crude oil terminal at Mundra Port in the State of Gujarat to Bathinda in the State of Punjab through Mundra-Bathinda crude oil pipeline by Guru Gobind Singh Refineries Limited (a subsidiary of Hindustan Petroleum Corporation Limited);

And whereas copies of the said Gazette notification were made available to the public on the 27<sup>th</sup> August 2002;

And whereas the competent authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas the Central Government, after considering the said report and on being satisfied that the said land is required for laying pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of the declaration, in the Guru Gobind Singh Refineries Limited (a subsidiary of Hindustan Petroleum Corporation Limited) free from all encumbrances.

## SCHEDULE

Taluka :- Santalpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(1) SANTALPUR	151		00	20	17
	152		00	38	88
	153		00	06	62
	154		00	18	61
	179		00	37	13
	198	P Cart Track	00	01	42
	198	P	00	21	01
	204		00	15	00
	203		00	01	05
	206		00	27	24
	207		00	04	84
	208		00	28	56
	209		00	11	65
	210		00	24	17
	211		00	18	83
	190		00	50	82
	189		00	06	43
	219		00	30	01
(2) PAR	838		00	23	47
	833/1		00	36	80
	842		00	01	84
	843		00	13	51
	844		00	08	69
	845		00	01	66
	825		00	42	25
	824		00	07	44
	823		00	34	69

Taluka :- Santalpur-

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(2) PAR (Contd.)	819		00	30	28
	813/1		00	10	86
	815		00	44	34
	816		00	00	05
	814/1		00	35	29
	814/2		00	00	09
	794		00	13	33
	793		00	17	15
	792		00	16	72
	791		00	17	02
	645	P	00	69	55
	646		00	14	96
	647		00	68	35
	648	P	00	36	37
	649		00	38	08
	656		00	19	92
	657		00	32	09
	658		00	50	11
	663/1		00	17	29
	663/2		00	14	48
	---	Cart Track	00	09	36
	669		00	45	59
	670		00	21	47
	676		00	20	65
	675		00	15	46
	674		00	16	24
	673		00	01	32
	484		00	12	89

Taluka :- Santalpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(2) PAR (Contd.)	485		00	01	74
	482		00	09	59
	486		00	00	22
	481		00	08	12
	478		00	00	74
	487		00	19	48
	488		00	09	91
	477/1		00	22	01
	474		00	21	92
	490		00	00	49
	473		00	14	06
	472		00	02	89
	470		00	31	82
	467		00	30	02
	464		00	10	52
	465		00	17	80
	463		00	32	68
	459		00	30	62
	435	P	00	28	44
(3) CHHANSARA	48		00	14	39
	49		00	26	26
	50		00	09	15
	51		00	59	06
	53		00	42	14
	---	Cart Track	00	02	72
	61	P	00	41	22
	61	P Cart Track	00	01	10
	65		00	60	18

Taluka :- Santalpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(3) CHHANSARA (Contd.)	66		00	00	63
	64	P	00	27	69
	64	P	00	18	28
	74		00	31	51
	81		00	02	60
	82		00	32	89
	85		00	41	67
	84	P	00	17	28
	---	Cart Track	00	02	42
	108		00	20	30
	88		00	09	50
	107		00	27	90
	---	Cart Track	00	02	42
	118		00	10	71
	119		00	22	44
	116		00	09	14
	120		00	15	20
	164		00	25	94
	165		00	08	38
	166		00	23	65
	186		00	19	05
	187		00	11	63
	188	P	00	20	25
	190		00	19	65
	189		00	12	23
	191		00	00	48
	192		00	21	49
	193		00	25	59



Taluka :- Santalpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
<b>(3) CHHANSARA (Contd.)</b>	---	Cart Track	00	00	13
	194	P	00	43	62
	194	P Cart Track	00	01	10
	200	P	00	32	82
	200	P Cart Track	00	04	38
	207	P	00	37	64
	207	P Cart Track	00	01	10
	206		00	42	36
	45	P	00	12	76
<b>(4) DAIGAMDA</b>	32	P	00	24	63
	32	P Cart Track	00	01	10
	19	P	00	24	28
	19	P	00	42	94
	17		00	10	98
	20	P	00	47	16
	20	P	00	24	30
	13		00	18	51
	12		00	26	06
	11		00	20	03
	28		00	64	60
	29		00	00	44
	36		00	00	48
	34		00	41	44
	---	Cart Track	00	01	69
	82/1		00	33	59
	82/2		00	10	48
	83		00	33	31
	---	Cart Track	00	01	04

Tahuka :- Santalpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
<b>(4) DAIGAMDA</b> <b>(Contd.)</b>	84		00	26	99
	90		00	28	46
	89		00	32	75
	103	P	00	43	44
	103	P Cart Track	00	01	00
	103	P Cart Track	00	01	00
	103	P Cart Track	00	01	00
	104	P	00	28	60
	104	P	00	16	28
	126	P	00	22	22
	126	P	00	12	01
	---	Cart Track	00	02	41
	127		00	06	26
	125		00	13	28
	---	Cart Track	00	01	39
	124		00	31	12
	119		00	15	07
	123		00	06	94
	120		00	44	66
	121		00	07	08
<b>(5) BAMROLI</b>	196		00	01	27
	182		00	44	11
	180	P	00	12	70
	174		00	25	90
	175		00	31	30
	172	P	00	32	89
	171/1		00	04	00
	148		00	15	64

Taluka :- Santalpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(5) BAMROLI (Contd.)	150	Cart Track	00	17	59
	152		00	44	08
	153		00	37	93
	154		00	17	76
	---		00	05	21
	128		00	30	93
	127		00	08	60
	126		00	22	87
	125		00	26	59
	518	P	00	29	12
	518	P	00	48	80
	518	P	00	30	56
	30	P	00	27	08
	30	P	00	01	00
	29/1	Cart Track	00	05	15
	29/2		00	14	52
	28		00	16	89
	27		00	25	54
	25		00	10	09
	22		00	08	62
	21		00	14	88
	20		00	31	64
	18		00	27	44
(6) DABHI	44/1		00	21	77
	44/2		00	12	56
(7) UNROT	186		00	34	61
	184		00	25	39
	181		00	01	80

Taluka :- Santalpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
<b>(7) UNROT (Contd.)</b>	179		00	24	34
	178		00	39	33
	177		00	09	38
	154		00	25	93
	162		00	27	60
	161	P	00	10	74
	161	P Cart Track	00	01	00
	163		00	20	29
	164		00	35	70
	165		00	10	07
	167		00	13	55
	14	P	01	33	89
	14	P	00	28	34
	14	P Cart Track	00	01	08
	16/2		00	32	78
	29	P	00	23	58
	29	P Cart Track	00	01	08
	28	P	00	03	93
	28	P Cart Track	00	01	08
	30		00	29	15
	37		00	18	13
	38	P	00	20	04
	38	P Cart Track	00	09	57
	40		00	34	60
	42		00	32	34
	41		00	21	57
<b>(8) Jarusa</b>	146		00	43	21
	149	P	00	20	56
	150		00	33	71
	143	P	00	00	86
	143	P Cart Track	00	00	50

Taluka :- Santalpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq. mt.
1	2	3	4		
(8) Jarusa (Contd.)	142	P Cart Track	00	00	50
	142	P	00	26	09
	151		00	28	18
	53	P	03	64	08
	53	P Cart Track	00	00	93
	53	P Cart Track	00	00	93
	53	P Cart Track	00	00	93
	53	P Cart Track	00	00	93
	304		00	14	96
	53	P Cart Track	00	00	93
	306	P	00	53	65
	303/1		00	20	24
	303/2		00	26	10
	302	P Cart Track	00	01	08
	302	P	00	27	45
	300		00	02	60
	301		00	09	00
	298		00	26	36
	297	P	00	33	26
(9) ZEKADA	581		00	19	01
	582		00	13	36
	583		00	27	86
	585	P	00	26	21
	591		00	20	05
	592		00	24	52
	593		00	15	13
	594		00	02	25
	---	Cart Track	00	01	10
	610		00	24	38
	607	P	00	26	80
	607	P	00	01	92

Taluka :- Santalpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(9) ZEKADA (Contd.)	627		00	31	25
	628	P	00	32	67
	7		00	08	44
	---	Cart Track	00	02	04
	6		00	28	60
	5		00	13	32
	4		00	05	88
	23		00	01	08
	24	P	00	27	64
	---	Cart Track	00	02	20
	87		00	16	56
	86		00	22	32
	85		00	32	12
	---	Cart Track	00	01	56
	108	P	00	25	96
	---	Cart Track	00	02	92
	107		00	46	32
	100		00	05	40
	106		00	15	64
	105		00	10	40
	101		00	13	64
	102		00	16	00
	---	Cart Track	00	05	12
	270		00	20	44
	268	P	00	19	77
	268	P	00	11	28
	266		00	20	80
	264		00	18	40
	261		00	21	96
	262	P	00	43	20
	262	P Cart Track	00	00	93

Taluka :- Santalpur

District :- Patan

State :- Gujarat

Name of Village	Survey No	Part if Any	ROU Area		
			Ha.	Ar.	Sq.mt.
1	2	3	4		
(9) ZEKADA (Contd.)	254		00	17	10
	255	P	00	01	08
	253	P	00	13	16
	253	P	00	30	12
	251		00	10	62
	250		00	40	82
	245		00	27	10
	246	P	00	24	15
	238		00	44	26

[No. R-31015/9/2002-O.R.-II]  
HARISH KUMAR, Under Secy.

नई दिल्ली, 18 फरवरी, 2003

का.आ. 631.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 3076 तारीख 27 सितम्बर 2002 द्वारा महाराष्ट्र राज्य में मनमाड संस्थापन (पानेवाडी) से मध्यप्रदेश राज्य में मांगल्या (इन्दौर) तक मुम्बई-मनमाड पाइपलाइन विस्तारण परियोजना के माध्यम से पेट्रोलियम उत्पादों के परिवहन के लिए भारत पेट्रोलियम कारपोरेशन लिमिटेड द्वारा पाइपलाइन बिछाने के प्रयोजन के लिए उक्त अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 9 नवम्बर 2002 को उपलब्ध करा दी गई थीं ;

और सक्षम प्राधिकारी ने उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने उक्त रिपोर्ट पर विचार करने के पश्चात इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट उक्त भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि उक्त भूमि में उपयोग का अधिकार इस घोषणा के प्रकाशन की तारीख को केन्द्रीय सरकार में निहित होने की बजाय सभी विल्लंगमों से मुक्त भारत पेट्रोलियम कारपोरेशन लिमिटेड में निहित होगा।

**अनुसूची**  
**तहसील : नांदगाव**      **जिला : नाशिक**      **राज्य : महाराष्ट्र**

ग्राम का नाम	गट/ सर्वे नंबर	क्षेत्र		
		हेक्टर	आर	चौरस मीटर
1. धोटाणे बुद्रुक	142/1/2/1ब	0	16	56
	142/1/2/2/1अ	0	00	50
	142/1/1/ब/भाग	0	12	24
	142/1/1अ	0	00	72
2. पांझणदेव	77/अ	0	02	24
	45	0	14	00
3. खादगाव	142/1	0	19	00
4. भाडी	90/1,2	0	20	34
	94	0	38	34
	120	0	23	22
	119	0	26	64
	115/अ	0	11	52
	115/ब	0	14	94
	152/1	0	34	00
5. बोयगाव	152/1	0	34	00

[फा. सं. आर-31015/11/2001-ओ.आर-II]

हरीश कुमार, अवर सचिव

New Delhi, the 18th February, 2003

S. O. 631.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 3076 dated the 27<sup>th</sup> September 2002, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), the Central Government declared its intention to acquire the right of user in the land, specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of petroleum products through the Mumbai-Manmad Pipeline Extension Project from Panewadi (Manmad) in the State of Maharashtra to Manglya (Indore) in the State of Madhya Pradesh by the Bharat Petroleum Corporation Limited;

And, whereas, copies of the said Gazette notification were made available to the public on the 9<sup>th</sup> November, 2002;

And, whereas, the competent authority under sub-section (1) of section 6 of the said Act, has submitted report to the Central Government;

And further, whereas, the Central Government has, after considering the said report, decided to acquire the right of user in the land specified in the Schedule appended to this notification;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the said land specified in the Schedule is hereby acquired for laying the pipeline;

And, further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government directs that the right of user in the said land shall, instead of vesting in the Central Government, vest on this date of the publication of this declaration, in the Bharat Petroleum Corporation Limited, free from all encumbrances..



## SCHEDULE

Tahsil : Nandgaon

District : Nashik

State : Maharashtra

Name of Village	Gat / Survey Numbers	Area		
		Hectores	Ares	Sq. Mts.
1. Dhotane Bk	142/1/2/1B	0	16	56
	142/1/2/2/1A	0	00	50
	142/1/1/B/Pt.	0	12	24
	142/1/1A	0	00	72
2. Panjandev	77/A	0	02	24
	45	0	14	00
3. Khadgaon	142/1	0	19	00
4. Bhardi	90/1,2	0	20	34
	94	0	38	34
	120	0	23	22
	119	0	26	64
	115/A	0	11	52
	115/B	0	14	94
5. Boygaon	152/1	0	34	00

[No. R-31915/11/2001-O.R.-II]  
HARISH KUMAR, Under Secy.

नई दिल्ली, 18 फरवरी, 2003

का. आ. 632.—केंद्रीय सरकार पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का. आ. 1877, तारीख 4 जून, 2002, द्वारा जो भारत के राजपत्र, भाग 2, खंड 3, उपखंड (ii) तारीख 8 जून 2002 में पृष्ठ 5366 से 5393 पर प्रकाशित की गई थी, निम्नलिखित संशोधन करती है, अर्थात् :-

उक्त अधिसूचना की इस अनुसूची में :-

(क)

पृष्ठ 5367 पर, स्तंभ 1 में गाँव "धामसीन" के सामने —

- (i) स्तंभ 2 की सर्वेक्षण संख्या "535", के सामने स्तंभ 4 में "0-19-28", क्षेत्र के स्थान पर "0-21-95", क्षेत्र रखा जाएगा ;
- (ii) स्तंभ 2 की सर्वेक्षण संख्या "553", के सामने स्तंभ 4 में "0-15-94", क्षेत्र के स्थान पर "0-17-55", क्षेत्र रखा जाएगा;
- (iii) स्तंभ 2 की सर्वेक्षण संख्या "596", के सामने स्तंभ 4 में "0-20-90", क्षेत्र के स्थान पर "0-35-97", क्षेत्र रखा जाएगा;
- (iv) स्तंभ 2 की सर्वेक्षण संख्या "615", के सामने स्तंभ 4 में "0-43-57", क्षेत्र के स्थान पर "0-43-72", क्षेत्र रखा जाएगा;
- (v) स्तंभ 2 की सर्वेक्षण संख्या "621", के सामने स्तंभ 4 में "0-29-22", क्षेत्र के स्थान पर "0-31-10", क्षेत्र रखा जाएगा;
- (vi) स्तंभ 2 की सर्वेक्षण संख्या "620", के सामने स्तंभ 4 में "0-09-50", क्षेत्र के स्थान पर "0-17-60", क्षेत्र रखा जाएगा;

- (vii) स्तंभ 2 की सर्वेक्षण संख्या "638", हिस्सा "941" स्तंभ 3 के सामने, स्तंभ 4 में "0-10-20", क्षेत्र के स्थान पर "0-11-20", क्षेत्र रखा जाएगा;
- (viii) स्तंभ 2 की सर्वेक्षण संख्या "639", के सामने स्तंभ 4 में "0-94-56", क्षेत्र के स्थान पर "1-00-00", क्षेत्र रखा जाएगा ;
- (ix) स्तंभ 2 की सर्वेक्षण संख्या "349", के सामने स्तंभ 4 में "0-34-10", क्षेत्र के स्थान पर "0-36-24", क्षेत्र रखा जाएगा ;
- (x) स्तंभ 2 की सर्वेक्षण संख्या "351", के सामने स्तंभ 4 में "0-28-83", क्षेत्र के स्थान पर "0-32-50", क्षेत्र रखा जाएगा ;
- (ख) पृष्ठ 5369 पर, स्तंभ 1 में गाँव "बड़गाँव" के सामने —
- (i) स्तंभ 2 की सर्वेक्षण संख्या "1244", के सामने स्तंभ 4 में "0-09-32", क्षेत्र के स्थान पर "0-31-31", क्षेत्र रखा जाएगा ;
- (ग) पृष्ठ 5374 पर, स्तंभ 1 में गाँव "फतेहपुरा" के सामने —
- (i) स्तंभ 2 की सर्वेक्षण संख्या "108", के स्थान पर "105", रखा जाएगा ;
- (घ) पृष्ठ 5375 पर, स्तंभ 1 में गाँव "अखरार" के सामने —
- (i) स्तंभ 2 की सर्वेक्षण संख्या "950", के सामने स्तंभ 4 में "0-16-42", क्षेत्र के स्थान पर "0-16-94", क्षेत्र रखा जाएगा ;
- (ii) स्तंभ 2 की सर्वेक्षण संख्या "380", के सामने स्तंभ 4 में "0-00-24", क्षेत्र के स्थान पर "0-00-75", क्षेत्र रखा जाएगा ;
- (iii) स्तंभ 2 की सर्वेक्षण संख्या "376", के सामने स्तंभ 4 में "0-10-80", क्षेत्र के स्थान पर "0-12-34", क्षेत्र रखा जाएगा ;
- (iv) स्तंभ 2 की सर्वेक्षण संख्या "357", के सामने स्तंभ 4 में "0-00-91", क्षेत्र के स्थान पर "0-06-51", क्षेत्र रखा जाएगा ;
- (v) स्तंभ 2 की सर्वेक्षण संख्या "358", हिस्सा "कार्ट ट्रेक" स्तंभ 3 के सामने, स्तंभ 4 में "0-00-74", क्षेत्र के स्थान पर "0-01-20", क्षेत्र रखा जाएगा ;
- (vi) स्तंभ 2 की सर्वेक्षण संख्या "364", के सामने स्तंभ 4 में "0-10-70", क्षेत्र के स्थान पर "0-12-20", क्षेत्र रखा जाएगा ;
- (vii) स्तंभ 2 की सर्वेक्षण संख्या "360", के सामने स्तंभ 4 में "0-17-29", क्षेत्र के स्थान पर "0-17-50", क्षेत्र रखा जाएगा ;

[फा. सं. आर-31015/19/2001-ओ.आर.-II]

हरीश कुमार, अवर सचिव

New Delhi, the 18th February, 2003

S.C. S. O. 632.— In exercise of the powers conferred by sub-section (1) of section 6 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O 1877, dated the 4<sup>th</sup> June, 2002, published at pages 5380 to 5393, in part II, section 3, sub-section (ii) of the Gazette of India, dated the 8<sup>th</sup> June, 2002, namely:-

In Schedule to the said notification:-

- (A) at page 5381, against village "Dhamsin", in column 1, —
- (i) in Survey no. "535", in column 2, for the area "0-19-28", in column 4, the area "0-21-95", shall be substituted;
  - (ii) in Survey no. "553", in column 2, for the area "0-15-94", in column 4, the area "0-17-55", shall be substituted;
  - (iii) in Survey no. "596", in column 2, for the area "0-20-90", in column 4, the area "0-35-97", shall be substituted;
  - (iv) in Survey no. "615", in column 2, for the area "0-43-57", in column 4, the area "0-43-72", shall be substituted;
  - (v) in Survey no. "621", in column 2, for the area "0-29-22", in column 4, the area "0-31-10", shall be substituted;
  - (vi) in Survey no. "620", in column 2, for the area "0-09-50", in column 4, the area "0-17-60", shall be substituted;
  - (vii) in Survey no. "638", in column 2, part "941" in column 3, for the area "0-10-20", in column 4, the area "0-11-20", shall be substituted;
  - (viii) in Survey no. "639", in column 2, for the area "0-94-56", in column 4, the area "1-00-00", shall be substituted;
  - (ix) in Survey no. "349", in column 2, for the area "0-34-10", in column 4, the area "0-36-24", shall be substituted;
  - (x) in Survey no. "351", in column 2, for the area "0-28-83", in column 4, the area "0-32-50", shall be substituted;
- (B) at page 5383, against village "Badgaon", in column 1, —
- (i) in Survey no. "1244", in column 2, for the area "0-09-32", in column 4, the area "0-31-31", shall be substituted;
- (C) at page 5388, against village "Fatehpura", in column 1, —
- (i) In column 2, instead of Survey no. "108", Survey no. "105", shall be substituted
- (D) at page 5389, against village "Akhrar", in column 1, —
- (i) in Survey no. "950", in column 2, for the area "0-16-42", in column 4, the area "0-16-94", shall be substituted;
  - (ii) in Survey no. "380", in column 2, for the area "0-00-24", in column 4, the area "0-00-75", shall be substituted;
  - (iii) in Survey no. "376", in column 2, for the area "0-10-80", in column 4, the area "0-12-34", shall be substituted;
  - (iv) in Survey no. "357", in column 2, for the area "0-00-91", in column 4, the area "0-06-51", shall be substituted;
  - (v) in Survey no. "358", in column 2, "Cart Track" in column 3, for the area "0-00-74", in column 4, the area "0-01-20", shall be substituted;

- (vi) in Survey no. "364", in column 2, for the area "0-10-70", in column 4, the area "0-12-20", shall be substituted;
- (vii) in Survey no. "360", in column 2, for the area "0-17-29", in column 4, the area "0-17-50", shall be substituted;

[No. R-31015/19/2001-O.R.-II]  
HARISH KUMAR, Under Secy.

नई दिल्ली, 20 फरवरी, 2003

का. आ. 633.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन जारी की गई भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना सं० का. आ. 3163 तारीख 4 अक्टूबर, 2002 द्वारा मुन्दा-भटिंडा अपरिष्कृत तेल पाइपलाइन के माध्यम से गुजरात राज्य में मुन्दा पत्तन स्थित अपरिष्कृत तेल संस्थापन से पंजाब राज्य में भटिंडा तक पेट्रोलियम उत्पादों के परिवहन के लिए गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कारपोरेशन लिमिटेड की समनुषंगी) द्वारा पाइपलाइन बिछाई जाने के प्रयोजन के लिए उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में उपयोग के अधिकार का अर्जन करने के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियां जनता को तारीख 13 नवम्बर 2002 को उपलब्ध करा दी गई थीं ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाने के लिए अपेक्षित है, उसमें उपयोग के अधिकार का अर्जन करने का विनिश्चय किया है ;

अतः अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग का अधिकार अर्जित किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पाइपलाइन बिछाने के लिए उक्त भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त, गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कारपोरेशन लिमिटेड की समनुषंगी) में निहित होगा।

### अनुसूची

तहसील : रानीवाड़ा	जिला : जालौर	राज्य : राजस्थान
गाँव का नाम	खसरा	हिस्सा क्रमांक
		(सर्वेक्षण क्रमांक)
1	2	3
धामसीन	597	
		हैक्टर एयर वर्ग मी.
		4
		0 02 43

पाद टिप्पणी : अधिसूचना संख्या का. आ. 3163 तारीख 4 अक्टूबर, 2002 भारत के राजपत्र भाग II खंड, उपखंड (ii) में तारीख 5 अक्टूबर, 2002 को प्रकाशित हुई थी।

[फा. सं. आर-31015/19/2001-ओ.आर.-II]

हरीश कुमार, अवर सचिव

New Delhi, the 20th February, 2003

S. O. 633.—Whereas by notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O.3163, dated the 4<sup>th</sup> October, 2002, issued under sub-section (1) of section 3 of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India, on the 5<sup>th</sup> October, 2002, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transport of petroleum products from crude oil terminal at Mundra Port in the State of Gujarat to Bathinda in the State of Punjab through Mundra-Bathinda crude oil pipeline by Guru Gobind Singh Refineries Limited (a subsidiary of Hindustan Petroleum Corporation Limited);

And whereas, copies of the said Gazette notification were made available to the public by on the 13<sup>th</sup> November, 2002;

And whereas, the competent authority has under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government, after considering the said report and on being satisfied that the said land is required for laying pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the said land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of the declaration, in the Guru Gobind Singh Refineries Limited (a subsidiary of Hindustan Petroleum Corporation Limited) free from all encumbrances.

## SCHEDULE

Tehsil : Raniwada		District : Jalore		State : Rajasthan		
Name of Village	Survey No.	Part IF Any		ROU - Area		
				Hect.	Are.	Sq.mt.
1	2	3		4		
Dhamsin	597			0	02	43

Foot note: Notification S.O.3163 dated the 4th October 2002 was published in part II, section 3, sub-section (ii) of the Gazette of India, dated the 5<sup>th</sup> October, 2002

[No. R-31015/19/2001-O.R.-II]  
HARISH KUMAR, Under Secy.

नई दिल्ली, 19 फरवरी, 2003

का.आ. 634.— केन्द्रीय सरकार ने पेट्रोलियम और खनिज पाइपलाइन (भूमि में उपयोग के अधिकार का अर्जन) अधिनियम, 1962 (1962 का 50) (जिसे इसमें इसके पश्चात उक्त अधिनियम कहा गया है) की धारा 3 की उपधारा (1) के अधीन भारत सरकार के पेट्रोलियम और प्राकृतिक गैस मंत्रालय की अधिसूचना संख्या का.आ. 2556 तारीख 8 अगस्त 2002, जो भारत के राजपत्र भाग-2, खंड 3, उपखंड (ii) तारीख 10 अगस्त 2002 में प्रकाशित की गई थी, द्वारा उस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कारपोरेशन लिमिटेड की समनुषंगी) द्वारा मुन्द्रा-भटिंडा अपरिष्कृत तेल पाइपलाइन के माध्यम से गुजरात राज्य में मुन्द्रा पत्तन स्थित अपरिष्कृत तेल संस्थापन से पंजाब राज्य में भटिंडा तक पेट्रोलियम उत्पादों के परिवहन के लिए पाइपलाइन बिछाने के प्रयोजन के लिए उपयोग का अधिकार अर्जित करने के अपने आशय की घोषणा की थी ;

और उक्त राजपत्र अधिसूचना की प्रतियाँ जनता को तारीख 28 अक्टूबर 2002 को उपलब्ध करा दी गई थीं ;

और पाइपलाइन बिछाने के सम्बन्ध में जनता से प्राप्त आक्षेपों पर सक्षम प्राधिकारी द्वारा विनिश्चय कर लिया गया है ;

और सक्षम प्राधिकारी ने, उक्त अधिनियम की धारा 6 की उपधारा (1) के अधीन केन्द्रीय सरकार को अपनी रिपोर्ट दे दी है;

और केन्द्रीय सरकार ने, उक्त रिपोर्ट पर विचार करने के पश्चात, और यह समाधान हो जाने पर कि उक्त भूमि पाइपलाइन बिछाई जाने के लिए अपेक्षित है, उसमें उपयोग का अधिकार अर्जित करने का विनिश्चय किया है ;

अतः, अब, केन्द्रीय सरकार, उक्त अधिनियम की धारा 6 की उपधारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह घोषणा करती है कि इस अधिसूचना से संलग्न अनुसूची में विनिर्दिष्ट भूमि में पाइपलाइन बिछाने के लिए उपयोग के अधिकार का अर्जन किया जाता है ;

और केन्द्रीय सरकार उक्त अधिनियम की धारा 6 की उपधारा (4) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, यह निदेश देती है कि पाइपलाइन बिछाने के लिए उक्त भूमि में उपयोग का अधिकार, इस घोषणा के प्रकाशन की तारीख को, केन्द्रीय सरकार में निहित होने की बजाए, सभी विल्लंगमों से मुक्त, गुरु गोबिन्द सिंह रिफाइनरीज लिमिटेड (हिन्दुस्तान पेट्रोलियम कारपोरेशन लिमिटेड की समनुषंगी) में निहित होगा।

## अनुसूची

हस्ताक्षर : राजस्थान

जिला : हनुमानगढ़

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	खसरा नं.	पत्थर नं. ब्लॉक नं.	मुख्या नं.	किला नं.	हिस्सा क्रमांक	अवाप्त भूमी का क्षेत्रफल				
							बीघा	बिस्वा	हेक्टर	एयर	वर्ग मी.
1	2	3	4	5	6	7	8				
1	कल्लासर	783					0	11			
		785					2	05			
		784					0	06			
		786					1	18			
		788					2	10			
	778/2 Min						2	02			
	776						0	13			
	774						0	04			
	773						2	02			
2	हुमीरदेसर	284					0	12			
		370				रास्ता	0	01			
	179/386						1	08			
	176						0	10			
	177						2	04			
	188/460 min						0	03			
	188/460 min						0	01			
	188/434						0	18			
	188/453						0	13			
	189 min						1	07			
	189min						2	08			
	189/433						0	01			
	190						0	07			
	191						2	13			
	203						2	11			
	196						1	09			
	201						0	06			
	197						0	07			
	198						0	08			
	347					रास्ता	0	01			
	138						0	16			
	137						1	13			
	140 Min						0	11			
	140					रास्ता	0	01			
	136						1	05			
	135						1	08			

राज्य : राजस्थान		जिला : हनुमानगढ़		राज्य : राजस्थान							
क्र. सं.	गाँव का नाम	खसरा नं.	पत्थर नं.	गुरबा नं.	किला नं.	हिस्सा	अबाज भूमी का क्षेत्रफल				
सं.			ब्लॉक नं.			ग्रामांक	बीगा	बिस्वा	हेक्टर	एकर	वर्ग मी.
1	2	3	4	5	6	7	8	9	10	11	12
2	हुमीरदेसर	134					0	13			
	( जारी )	119					2	16			
		120					1	02			
		103				सड़क	0	03			
		85					1	03			
		86					0	13			
		83					1	07			
	70 Min						1	12			
	70 Min						1	18			
	70 Min						1	12			
3	नौलखी	324					1	13			
	बारानी	321				रास्ता	0	01			
		615					1	02			
		612					0	18			
		613					2	05			
	609 Min						0	13			
	608						1	14			
	600 Min						0	15			
	601						3	06			
	596						1	10			
	595						0	01			
	589						2	01			
	590						0	03			
	593					रास्ता	0	02			
	591						2	13			
	585						0	09			
11 KKM	221/24	54	4,5,6,7					0	24	44	
		54	21,22			रास्ता		0	01	25	
		54	22,23,18,19,13,14					0	35	65	
	221/32	55	1					0	00	05	
	221/23	47	25					0	03	66	
	221/31	46	21,20,19,12,13,9					0	35	84	
		46	3,4,8					0	22	90	
	221/30	37	24,17					0	12	40	
		37	15,16,25					0	15	40	



तहसील : शम्भुदासर		जिला : हुगुमांगगढ़				राज्य : राजस्थान				
क्रम सं.	गाँव का नाम	खसरा नं.	पट्टा नं. ब्लॉक नं.	मुख्या नं.	किला नं.	हिस्सा क्रमांक	अबाजत भूमी का क्षेत्रफल			
	1	2				3	बीघा	बिस्वा	हुक्टर	एयर वर्ग मी.
3	मौलखी (जारी)									
	11 KKM	221/38	38	1,9,10,11			0	19	46	
			38	2,3			0	10	94	
		221/37	27	7,14,15,17,18,22,23			0	38	32	
			27	5,6			0	16	38	
		221/45	26	1			0	05	00	
	12KKM	221/44	58	21,22,20,19,12,18			0	28	75	
			58	13,8,7,3,4,5			0	32	00	
		221/43	50	16,25,24			0	15	25	
			50	24,25		रास्ता	0	01	25	
		221/51	51	11,12,20			0	19	50	
			51	2,3,9,10			0	24	00	
		221/50	46	18,23			0	10	00	
			46	14			0	05	00	
			46	17			0	10	80	
			46	24			0	02	20	
			46	15			0	08	00	
			46	5,6			0	09	00	
		221/58	45	1,2,10			0	14	50	
		221/57	38	4,5,7,13,14,18,19,21,22			0	53	50	
			38	8			0	00	75	
		240/64	31	25			0	09	25	
			31	16			0	00	24	
		20/8	30	3,8,9,11,12,20			0	47	00	
			30	21			0	01	50	
		20/7	24	16,17,23,24			0	22	75	
			24	23,24		रास्ता	0	01	25	
			24	6,15			0	13	00	
		20/15	25	1,2,10,11			0	23	00	
		20/14	9	7,13,14,18,19,22,23			0	45	50	
		20/14	9	5,6			0	15	50	
		20/22	8	1			0	00	70	
		20/13	4	25			0	00	35	

तहसील : रावतसर		जिला : तुमुमानगढ़				राज्य : राजस्थान				
क्र. सं.	गाँव का नाम	खसरा नं.	पत्थर नं. ब्लॉक नं.	मुख्या नं.	किला नं.	हिस्सा क्रमांक	अबादा भूमी का क्षेत्रफल			
	1	2				3	बीघा	बिस्वा	हेक्टर	एयर वर्ग मी.
3	नौलखी (जारी)									
	12 KKM	20/21	5	21			0	11	35	
			5	19,20			0	12	90	
			5	4,7,8,13,12			0	36	15	
			5	5			0	00	70	
	7 kkm	20/20	114	24,25,16			0	14	50	
4	गन्धेली ( बाराणी )	76/17	547	4,5,6,7			0	22	37	
	3PPM		547	14			0	09	63	
		75/29	20	12,19,22			0	32	20	
		75/29	20	2,3,8,9			0	21	00	
		75/28	17	3,8,13,18,19,22,23			0	49	00	
		75/27	2	18,23			0	17	00	
			2	13			0	06	36	
			2	8			0	02	86	
			2	3			0	00	08	
			2	4,7,14,17			0	24	40	
	2PPM	75/26	31	24,4			0	20	20	
			31	17			0	10	00	
			31	14			0	10	20	
			31	7			0	10	00	
			31	5			0	00	84	
		75/25	17	14,15,16,17,24,25			0	30	80	
			17	5,6,7			0	20	60	
		74/32	15	25			0	04	00	
		221/447	2	25			0	07	44	
			2	16			0	07	40	
			2	15			0	03	18	
		222/447	3	1,10,11,20,21			0	31	40	

तहसील : रायचूर		जिला : तुलनामण्डल				राज्य : राजस्थान					
क्र.सं.	गाँव का नाम	खसरा नं.	पट्टा नं. ब्लॉक नं.	मुस्ता नं.	क़िस्ता नं.	हिस्सा क्रमांक	अबादा भूमी का क्षेत्रफल				
							बीघा	बिस्वा	हेक्टर	एयर	वर्ग मी.
	1		2			3	4				
4	गन्धेली ( बारानी ) ( जारी ) 1PPM	222/446	48	11,12,19,20,21			0	29	30		
			48	1,2,9,10			0	19	60		
		222/445	40	2,9,12,19,22			0	47	92		
			40	3			0	00	77		
		222/444	33	3,8,12,13,18,19,22,23			0	47	55		
			33	22,23	रास्ता		0	01	25		
		222/443	24	23			0	09	20		
			24	3,4,7,8,13,18			0	39	20		
		222/442	19	4,7,14,17,24			0	45	59		
			19	18,23			0	01	61		
		222/441	11	14,15,16,17,24,25			0	30	40		
		223/441	10	11			0	01	50		
26	RWD	223/441	99	2,9,12			0	13	80		
			99	10,11			0	05	00		
			99	3,8			0	11	90		
			99	10,11	नहर		0	08	00		
		223/440	96	4,7,8,13,14,18,23			0	52	17		
			96	17			0	00	03		
		223/439	87	5,6,14,15,16,17,24,25			0	49	50		
		223/438	81	15,16,25			0	13	00		
		224/438	80	10,11,20,21			0	30	00		
			80	1,2			0	11	60		
27	RWD	224/437	55	12,19,20,21,22			0	31	70		
			55	2,3,8,9			0	22	00		
		224/436	52	4,7,8,13,18,22,23			0	52	17		
			52	3			0	00	63		
		224/435	41	5,6,7,14,15,17,24			0	51	20		
		224/434	39	15,16,25			0	17	80		
		225/434	40	1,2,10,11,20			0	33	50		
		225/433	27	7,8,12,19,21,22,20			0	39	10		
			27	13			0	04	50		

गन्धोली रास्ता

जिला : हरियाणा

राज्य : राजस्थान

क्रम सं.	गाँव का नाम	खसरा नं.	पत्थर नं. ब्लॉक नं.	मुसबा नं.	किला नं.	हिस्सा क्रमांक	अबाज भूमी का क्षेत्रफल				
1	2	3	4	5	6	7	बीघा	बिस्वा	हेक्टर	एयर	वर्ग मी.
4	गन्धोली ( जारी ) 27 RWD	225/433	27	3,4			0	11	40		
		225/432	26	24,17			0	12	00		
			26	6,15,16,25			0	24	50		
	26 RWD	226/432	50	1,10,11			0	16	20		
		226/431	33	12,18,19,21,22			0	27	85		
			33	3,8,13			0	21	96		
			33	7			0	00	80		
			33	4			0	10	60		
		226/430	32	25			0	03	14		
			32	6,15,16,17,24			0	27	66		
		227/430	31	1			0	05	60		
			31	10,11			0	14	65		
			31	10,11		रास्ता	0	01	25		
			31	2			0	05	70		
		227/429	16	3,4,7,8,12,13,18,19,21,22			0	56	80		
		227/428	13	15,16,17,24,25			0	23	00		
	26 RWD	228/428	12	1,10,11			0	23	40		
			12	2			0	02	98		
		228/427	3	12,19,21,22			0	18	50		
			3	4,7,8,13,18			0	36	50		
	25 RWD	228/426	40	15,16,24,25			0	26	75		
			40	24,25		रास्ता	0	01	25		
		229/426	41	11			0	05	50		
			41	1,2,10			0	23	50		
		229/425	34	13,14,19,22,23,18			0	34	10		
			34	4,5,7,8			0	22	60		
		229/424	23	15,16			0	11	50		
			23	24,25			0	11	00		
		230/424	24	11,20			0	11	50		
			24	1,2,9,10			0	23	90		
		230/423	15	18,19,22,23			0	21	40		
			15	4,5,7,8,13,14			0	35	20		
		230/422	4	16,25			0	10	40		

तहसील : रावतसर		जिला : हुनुमानगढ़				राज्य : राजस्थान				
सं.	गाँव का नाम	खसरा नं.	पट्टर नं.	मुख्या नं.	किला नं.	हिस्सा क्रमांक	अवाप्त भूमी का क्षेत्रफल			
		ब्लॉक नं.					बीघा	बिस्वा	हेक्टर	एयर वर्ग मी.
1	2					3	4			
4	गन्धेली ( जारी )									
	25 RWD	231/422	5	2,3,9,10,11,12,20,21			0	48	20	
	22 RWD'B'	231/421	48	5,6,14,15,17,18,23,24		2	05			
		232/421	47	1		0	05			
		232/420	33	19,20,21		0	18			
			33	3,8,9,12		1	08			
		232/419	22	14,17,18,23,24		1	04			
			22	7		0	01			
			22	5,6,15		0	15			
			22	23		रास्ता	0	01		
		233/419	21	1		0	03			
	22 RWD'A'	232/418	45	25			0	00	05	
		233/418	46	2,3,9,11,12,19,20,21			0	57	05	
		233/417	36	5,6,7,14,15,17,18,23,24			0	48	50	
		234/417	35	1,10			0	08	50	
		234/416	18	21,22			0	10	50	
			18	3,4,8,9,12,13,19,20			0	44	00	
		234/415	11	15,16,17,24			0	33	05	
			11	24		रास्ता	0	00	62	
			11	6			0	01	95	
		235/415	10	11		रास्ता	0	00	26	
			10	11			0	00	26	
			10	1,2,10			0	20	39	
	20 RWD'C'	235/414	50	3,4,7,8,12,13,18,19,21			0	45	67	
			50	22			0	10	93	
		235/413	36	15,16,17,24,25			0	29	34	
			36	6			0	00	06	
		236/413	35	2,10,11			0	21	50	
			35	1			0	05	50	
		236/412	32	8,13,18,19,22,23			0	32	60	
			32	4,5,7,14			0	24	60	
		236/411	17	16,24,25			0	16	60	

तहसील : रावतारा				जिला : हुनुमानगढ		राज्य : राजस्थान				
क्र. सं.	गाँव का नाम	खसरा नं.	पत्थर नं. ब्लॉक नं.	मुख्या नं.	किला नं.	हिस्सा क्रमांक	अव्याप्त भूमी का क्षेत्रफल			
	1	2				3	बीघा	बिस्वा	हेक्टर	एयर वर्ग मी.
4	गन्धोली ( जारी ) 20 RWD'C'	237/411	16	2,3,9,10,11,12,20			0	40	55	
			16	20,11	रास्ता		0	01	25	
		237/440	15	7,13,14,17,18,22,23			0	47	60	
			15	6			0	00	56	
			15	4,5			0	10	90	

[ फा. सं. आर-31015/14/2002-ओ.आर-II ]

हरीश कुमार, अवर सचिव

New Delhi, the 19th February, 2003

S. O. 634.— Whereas by a notification of the Government of India in the Ministry of Petroleum and Natural Gas number S.O. 2556, dated the 8<sup>th</sup> August, 2002, issued under sub-section (1) of section 3, of the Petroleum and Minerals Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962) (hereinafter referred to as the said Act), published in the Gazette of India, dated the 10<sup>th</sup> August, 2002, the Central Government declared its intention to acquire the right of user in the land specified in the Schedule appended to that notification for the purpose of laying pipeline for transportation of petroleum products from crude oil terminal at Mundra Port in the State of Gujarat to Bathinda in the State of Punjab, through Mundra-Bathinda crude oil pipeline by Guru Gobind Singh Refineries Limited (a subsidiary of Hindustan Petroleum Corporation Limited);

And whereas, copies of the said Gazette notification were made available to the public by 28<sup>th</sup> October, 2002;

And whereas, the objections received from the public to the laying of the pipeline have been decided by the competent authority;

And whereas, the competent authority has, under sub-section (1) of section 6 of the said Act, submitted report to the Central Government;

And whereas, the Central Government, after considering the said report and on being satisfied that the said land is required for laying pipeline, has decided to acquire the right of user therein;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 6 of the said Act, the Central Government hereby declares that the right of user in the land specified in the Schedule appended to this notification is hereby acquired for laying the pipeline;

And further, in exercise of the powers conferred by sub-section (4) of section 6 of the said Act, the Central Government hereby directs that the right of user in the land for laying the pipeline shall, instead of vesting in the Central Government, vest on the date of publication of the declaration, in the Guru Gobind Singh Refineries Limited (a subsidiary of Hindustan Petroleum Corporation Limited) free from all encumbrances.

SCHEDULE

Tehsil :Rawatsar			District : Hanumangarh			State : Rajasthan					
Sl. No.	Names of Villages	Khasara No.	Stone No. Block No	Murba No.	Kila No.	Part, If any	ROU - Area				
							Biga	Biswa	Hect.	Are.	Sq.mt.
	1	2	3				4		5		
1	KALASAR	783					0	11			
		785					2	05			
		784					0	06			
		786					1	18			
		788					2	10			
		778/2 Min					2	02			
		776					0	13			
		774					0	04			
		773					2	02			
		284					0	12			
		370				C.T.G.L.	0	01			
		179/386					1	08			
		176					0	10			
		177					2	04			
2	HAMIRDESAR	188/460 min					0	03			
		188/460 min					0	01			
		188/434					0	18			
		188/453					0	13			
		189 min					1	07			
		189min					2	08			
		189/433					0	01			
		190					0	07			
		191					2	13			
		203					2	11			
		196					1	09			
		201					0	06			
		197					0	07			
		198					0	08			
		347				C.T.G.L.	0	01			
		138					0	16			
		137					1	13			
		140 Min					0	11			
		140				C.T.G.L.	0	01			
		136					1	05			
		135					1	08			
		134					0	13			
		119					2	16			
		120					1	02			
		103				Road G.	0	03			
		85					1	03			
		86					0	13			

Tehsil :Rawatsar		District : Hanumangarh					State : Rajasthan				
No.	Names of Villages	Khasara No.	Stone No. Block No	Murba No.	Kila No.	Part, if any	ROU - Area				
							Biga	Biswa	Hect.	Are.	Sq.mt.
	1	2	3				4		5		
2	HAMIRDESAR (Contd)	83 70 Min 70 Min 70 Min					1 1 1 1	07 12 18 12			
3	NOLKHI (BARANI)	324 321 615 612 613 609 Min 608 600 Min 601 596 595 589 590 593 591 585				C.T.G.L.  <					



Tehsil : Rawatsar			District : Hanumangarh			State : Rajasthan				
No.	Names of Villages	Khasara No.	Stone No. Block No.	Murba No.	Kila No.	Part, If any	ROU - Area			
							Biga	Biswa	Hect.	Sq. mt.
	1	2	3				4		5	
3	NOLKHI - (Contd.) 12 KKM			46	14				0	05 00
				46	17				0	10 80
				46	24				0	02 20
				46	15				0	08 00
				46	5,6				0	09 00
			221/58	45	1,2,10				0	14 50
			221/57	38	4,5,7,13,14,18,19,21,22				0	53 50
				38	8				0	00 75
			240/64	31	25				0	09 26
				31	16				0	00 24
			20/8	30	3,8,9,11,12,20				0	47 00
				30	21				0	01 50
			20/7	24	16,17,23,24				0	22 75
				24	23,24	C.T.G.L.			0	01 25
				24	6,15				0	13 00
			20/15	25	1,2,10,11				0	23 00
			20/14	9	7,13,14,18,19,22,23				0	45 50
			20/14	9	5,6				0	15 50
			20/22	8	1				0	00 70
			20/13	4	25				0	00 35
			20/21	5	21				0	11 35
				5	19,20				0	12 90
				5	4,7,8,13,12				0	36 15
				5	5				0	00 70
	7 KKM		20/20	114	24,25,16				0	14 50
4	GANDHELI- (BARANI) 3PPM		76/17	547	4,5,6,7				0	22 37
				547	14				0	09 63
			75/29	20	12,19,22				0	32 20
			75/29	20	2,3,8,9				0	21 00
			75/28	17	3,8,13,18,19,22,23				0	49 00
			75/27	2	18,23				0	17 00
				2	13				0	06 36
				2	8				0	02 86
				2	3				0	00 08
				2	4,7,14,17				0	24 40

Tehsil :Rawatsar			District : Hanumangarh			State : Rajasthan					
Sr. No.	Names of Villages	Khasara No.	Stone No. Block No	Murba No.	Kila No.	Part, if any	ROU - Area				
							Biga	Biswa	Hect.	Are.	Sq.mt.
	1	2	3				4	5			
4	GANDHELI-										
	(Contd.)										
	2PPM	75/26	31	24,4			0	20	20		
			31	17			0	10	00		
		75/26	31	14			0	10	20		
			31	7			0	10	00		
			31	5			0	00	84		
		75/25	17	14,15,16,17,24,25			0	30	80		
			17	5,6,7			0	20	60		
		74/32	15	25			0	04	00		
		221/447	2	25			0	07	44		
			2	16			0	07	40		
			2	15			0	03	18		
		222/447	3	1,10,11,20,21			0	31	40		
	1PPM	222/446	48	11,12,19,20,21			0	29	30		
			48	1,2,9,10			0	19	60		
		222/445	40	2,9,12,19,22			0	47	92		
			40	3			0	00	77		
		222/444	33	3,8,12,13,18,19,22,23			0	47	55		
			33	22,23		C.T.G.L.	0	01	25		
		222/443	24	23			0	09	20		
			24	3,4,7,8,13,18			0	39	20		
		222/442	19	4,7,14,17,24			0	45	59		
			19	18,23			0	01	61		
		222/441	11	14,15,16,17,24,25			0	30	40		
		223/441	10	11			0	01	50		
	26 RWD	223/441	99	2,9,12			0	13	80		
			99	10,11			0	05	00		
			99	3,8			0	11	90		
			99	10,11		Canal G.L.	0	08	00		
		223/440	96	4,7,8,13,14,18,23			0	52	17		
			96	17			0	00	03		
		223/439	87	5,6,14,15,16,17,24,25			0	49	50		
		223/438	81	15,16,25			0	13	00		
		224/438	80	10,11,20,21			0	30	00		
			80	1,2			0	11	60		
	27 RWD	224/437	55	12,19,20,21,22			0	31	70		
			55	2,3,8,9			0	22	00		
		224/436	52	4,7,8,13,18,22,23			0	52	17		
			52	3			0	00	63		

Tehsil :Rawatsar			District : Hanumangarh			State : Rajasthan					
Sr. No.	Names of Villages	Khasara No.	Stone No. Block No	Murba No.	Kila No.	Part, if any	ROU - Area				
	1	2	3				Biga	Biswa	Hect.	Are.	Sq.mt.
							4			5	
4	GANDHELI- (Contd.) 27 RWD		224/435	41	5,6,7,14,15,17,24				0	51	20
			224/434	39	15,16,25				0	17	80
			225/434	40	1,2,10,11,20				0	33	50
			225/433	27	7,8,12,19,21,22,20				0	39	10
				27	13				0	04	50
			225/433	27	3,4				0	11	40
			225/432	26	24,17				0	12	00
				26	6,15,16,25				0	24	50
	26 RWD		226/432	50	1,10,11				0	16	20
			226/431	33	12,18,19,21,22				0	27	85
				33	3,8,13				0	21	96
				33	7				0	00	80
				33	4				0	10	60
			226/430	32	25				0	03	14
				32	6,15,16,17,24				0	27	66
			227/430	31	1				0	05	60
				31	10,11				0	14	65
				31	10,11	C.T.G.L.			0	01	25
				31	2				0	05	70
			227/429	16	3,4,7,8,12,13,18,19,21,22				0	56	80
			227/428	13	15,16,17,24,25				0	23	00
	26 RWD		228/428	12	1,10,11				0	23	40
				12	2				0	02	98
			228/427	3	12,19,21,22				0	18	50
				3	4,7,8,13,18				0	36	50
	25 RWD		228/426	40	15,16,24,25				0	26	75
				40	24,25	C.T.G.L.			0	01	25
			229/426	41	11				0	05	50
				41	1,2,10				0	23	50
			229/425	34	13,14,19,22,23,18				0	34	10
			229/425	34	4,5,7,8				0	22	60
			229/424	23	15,16				0	11	50
				23	24,25				0	11	00
			230/424	24	11,20				0	11	50
				24	1,2,9,10				0	23	90
			230/423	15	18,19,22,23				0	21	40
				15	4,5,7,8,13,14				0	35	20
			230/422	4	16,25				0	10	40

Tehsil :Rawatsar			District : Hanumangarh			State : Rajasthan					
No.	Names of Villages	Khasara No.	Stone No. Block No	Murba No.	Kila No.	Part, if any	ROU - Area				
	1	2	3				Biga	Biswa	Hect.	Are.	Sq.mt.
							4			5	
4	GANDHELI- (Contd.)										
	26 RWD		231/422	5	2,3,9,10,11,12,20,21				0	48	20
	22 RWD'B'		231/421	48	5,6,14,15,17,18,23,24		2	05			
			232/421	47	1		0	05			
			232/420	33	19,20,21		0	18			
				33	3,8,9,12		1	08			
			232/419	22	14,17,18,23,24		1	04			
				22	7		0	01			
				22	5,6,15		0	15			
				22	23	C.T.G.L.	0	01			
			233/419	21	1		0	03			
	22 RWD'A'		232/418	45	25				0	00	05
			233/418	46	2,3,9,11,12,19,20,21				0	57	05
			233/417	36	5,6,7,14,15,17,18,23,24				0	48	50
			234/417	35	1,10				0	08	50
			234/416	18	21,22				0	10	50
				18	3,4,8,9,12,13,19,20				0	44	00
			234/415	11	15,16,17,24				0	33	05
				11	24	C.T.G.L.			0	00	62
				11	6				0	1	95
			235/415	10	11	C.T.G.L.			0	00	26
				10	11				0	00	26
				10	1,2,10				0	20	39
	20 RWD 'C'		235/414	50	3,4,7,8,12,13,18,19,21				0	45	67
				50	22				0	10	93
			235/413	36	15,16,17,24,25				0	29	34
				36	6				0	00	06
			236/413	35	2,10,11				0	21	50
				35	1				0	05	50
			236/412	32	8,13,18,19,22,23				0	32	60
				32	4,5,7,14				0	24	60
			236/411	17	16,24,25				0	16	60
	20 RWD 'C'		237/411	16	2,3,9,10,11,12,20				0	40	55
				16	20,11	C.T.G.L.			0	01	25
			237/440	15	7,13,14,17,18,22,23				0	47	60
				15	6				0	00	56
				15	4,5				0	10	90

[No. R-31015/14/2002-O.R.-II]

HARISH KUMAR, Under Secy.

## श्रम मंत्रालय

नई दिल्ली, 28 जनवरी, 2003

का.आ. 635.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एयर इण्डिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चेन्नई के पंचाट (संदर्भ संख्या 690/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं. एल-11012/135/98-आई.आर. (सी-1)]

एस.एस. गुप्ता, अवसर सचिव

## MINISTRY OF LABOUR

New Delhi, the 28th January, 2003

S.O. 635.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 690/2001) of the Central Government Industrial Tribunal, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Air India and their workman, which was received by the Central Government on 24-1-2003.

[No. L-11012/135/98-IR(C-1)]

S. S. GUPTA, Under Secy.

## ANNEXURE

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Thursday, the 12th December, 2002

## PRESENT:

K. KARTHIKEYAN, Presiding Officer.

Industrial Dispute No. 690/2001

(Tamil Nadu Principal Labour Court CGID No. 328/99)

[In the matter of the dispute for adjudication under clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workman Sri N. Ramanaiah and the Management of M/s. Air India Limited.]

## BETWEEN

Sri N. Ramanaiah : I Party/workman

## AND

The Senior Regional Manager, II Party/Management  
Air India, Chennai.

## APPEARANCE:

For the Workman—M/s. V. Prakash, T. Ramkumar,  
Sonia & K. Saravanan, Advocates.For the Management—M/s. Ramasubramaniam and  
Associates Advocates.

The Government of India, Ministry of Labour in exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947), have referred the concerned industrial dispute for adjudication vide Order No. L-11012/135/98/IR(C-1) dated 10-5-99.

This reference has been made earlier to the Tamil Nadu Principal Labour Court, Chennai, where the same was taken on file as CGID No. 328/99. When the matter was pending enquiry in that Principal Labour Court, the Government 350 GI/2003—16

of India, Ministry of Labour was pleased to order transfer of this case also from the file of Tamil Nadu Principal Labour Court to this Tribunal for adjudication. On receipt of records from that Tamil Nadu Principal Labour Court, this case has been taken on file as I.D. No. 690/2001 and notices were sent to the counsel on record on either side, informing them about the transfer of this case to this Tribunal, with a direction to appear before this Tribunal on 24-10-2001 with their respective parties and to prosecute this case further. Accordingly, the learned counsel on either side, along with their respective parties have appeared and prosecuted this case further. The Claim Statement and Counter Statement of either side were filed earlier before the Tamil Nadu Principal Labour Court, Chennai, when the matter was pending there for adjudication.

Upon perusing the Claim Statement, Counter Statement, the other material papers on record and this matter having stood over till this date for consideration, this Tribunal has passed on merits, the following:—

## AWARD

The Industrial Dispute referred to in the above order of reference by the Central Government for adjudication by this Tribunal is as follows:—

“Whether the action of the management of Air India, Chennai, in terminating the services of Shri N. Ramanaiah w.e.f. 1987 is justified? If not, to what relief the workman is entitled?”

2. The averments in the Claim Statement of the I Party/workman Sri N. Ramanaiah (hereinafter refers to as Petitioner) are briefly as follows:—

The Petitioner was employed by the II Party/Management Air India, Chennai at Madras Airport in flight handling unit to work in different aspects of handling baggage from checking counter till loading in the flight and similarly after loading of the flight till the baggage set on the conveyor belt to be picked by disembarkment passengers. He was also made to do the job of handling cargo. The Petitioner was employed continuously for two years from 1985 to 1987. The Petitioner was paid wages of Rs. 32 as a daily wage apart from over time allowances. The Petitioner having been treated as daily rated employee was terminated from service in the year 1987 so as to deny him permanency and to induct in his place fresh employees. After completion of more than 480 days in two continuous calendar years, he was not permitted to work further even though the work was available for his continuous employment. With a view to deny the benefits that would accrue to him; even though he had worked for more than 480 days in two continuous years, the Respondent with a view to avoid giving him the benefits of continuous employment want only terminated him from service in the year 1987. In order to prevent continuous service and claim for permanency, the Respondent/Management resorted to the unfair labour practice by terminating him from service even though, he completed 480 days in a calendar year without giving him notice under law to evade the protection offered by the Industrial Disputes Act and Tamil Nadu Industrial Establishment (Conferment of permanent Status to Workmen) Act. Such termination of the Petitioner/Workman is retrenchment without the meaning of Section 2(oo) of the Industrial Disputes Act. Prior to the termination of service of the Petitioner, the mandatory conditions precedent laid under Section 25N and 25F of the Industrial Disputes Act have not been followed by the Respondent/Management. The Hon'ble Industrial Tribunal directed framing of a scheme and as such the Petitioner is entitled to the benefit of the scheme on the basis of his seniority and length of service and on the basis of 'last come first go'. At the time of termination of his service he was paid only Rs. 32 per day as wages. The permanent employees of the Respondent in the last grade were paid Rs. 2350 per month. Therefore, it is prayed that this Hon'ble Court may be pleased to direct the Respondent/Management to reinstate the Petitioner and regularise and absorb him in service of the Respondent/Management and pay him all past benefits as was paid to the permanent workmen with all other consequent benefits including seniority, back wages etc.

3. The averments in the Counter Statement filed by the II Party/Management, Air India, Chennai, (hereinafter refers to as Respondent) are briefly as follows:—

The Petitioner was indeed engaged as a casual employee by the management. This petition ought to be dismissed in limine on the ground of unexplained laches and delay. The Petitioner has raised this dispute after a delay of almost 13 years. The Petitioner has not given any reasons or justification for approaching this Hon'ble Court after a lapse of nearly 13 years. The nature of work in which the Petitioner was engaged was purely casual and related to the upliftment of cargo, which is purely temporary in nature. The casual engagement of the Petitioner was on day to day basis and the same comes to an end at the end of that particular day. Depending upon the need for particular number of casual workmen, the Respondent used to engage casual workman for the day in question depending upon the availability of work. Some days, a few casual workmen may be required and on some other days more number of casual workmen would be required for work. The casual employees are under no obligation to report for work every day nor is there any obligation or compulsion for the management to take the casuals every day for work. The cargo being highly perishable in nature casuals are engaged on day to day basis, depending upon the requirement to uplift the cargo of Air India as well as the cargo of other foreign carriers with whom Respondent/Management has bilateral contracts for specific periods, which are terminable on short notice, for handling such carrier's flights. The work generated in the above manner being transitory and dependent upon the frequency of the operations of the foreign carriers with whom the Respondent/Management has written contracts, casuals are engaged for the above mentioned jobs. As and when the regular employees of the Respondent/Management remain absent from work, Casual Labourers are engaged during the period of absenteeism by the regular employees. In certain cases, where there is additional seasonal work in the nature of shipment of perishable or seasonal cargo and shipment of which cannot be delayed, casual labourers are engaged. The Petitioner was engaged on a casual basis between various dates in the year 1985 and 1986. The number of days on which the Petitioner worked on a casual basis totals to about 141 days as 7 days in June, 17 days in July, 19 days in August, 19 days in September, 17 days in October, 13 days in November and 16 days in December, 1985 and 15 days in January, 14 days in February and 4 days in March, 1986. The Petitioner cannot claim any regularisation as a matter of right. Further Section 2(cc) of Industrial Disputes Act, 1947 would not be attracted to the case of the Petitioner. The case of the Petitioner falls within the purview of Section 2(c)(bb). The Petitioner being engaged merely on a casual basis, his contract of employment ceases at the end of the day. The Respondent/Management has not resorted to any unfair labour practice much less violation of Section 25N and 25F of Industrial Disputes Act. Furthermore, the Tamil Nadu Act has no application to Air India, which governed by Central Rules. The Petitioner being employed on a casual basis, there has been no termination of his service with his employment coming to an end at the end of each day. The Petitioner is put to strict proof of the averment that he had worked for more than 480 days in two continuous calendar years. The Petitioner is not entitled to any regularisation much less a permanent job in the Respondent/Management. The very fact that the Petitioner has approached this Hon'ble Court after a lapse of 13 years shows that he had been obviously employed elsewhere. The Petitioner cannot compare himself with the permanent employees of the Respondent. There is ban on recruitment and total freeze on recruitment and the Respondent has been directed by the Ministry of Civil Aviation that no fresh recruitment ought to be made and also to abolish the existing vacancies. The work load for which the casual employees are engaged being highly fluctuating, it is not possible for the Respondent/Management to deploy at all times permanent staff, which might be sufficient to cater to the temporary needs but would otherwise be surplus and at the same time this inherently fluctuating work load and demands cannot be eliminated, as it is beyond the control of the Respondent/Management. The Respondent is governed by the orders/Presidential directives with regard to reservations for SC/ST in the matters of recruitment or engagement of employees. Further, it is mandatory for Air India to do such recruitment necessarily through Employment Exchange. The respondent is also to comply with re-

servations for ex-servicemen and physically handicapped persons. As of now, there are several persons who have been sponsored by Employment Exchange and are wait listed awaiting employment in the Respondent Corporation. Therefore, it is prayed that this Hon'ble Court may be pleased to dismiss the petition.

4. When the matter was taken up for enquiry, no one has been examined as a witness on either side. No document has been filed as an exhibit on either side. Though the case was adjourned to various dates for enquiry and posted to 11-11-2002 as last chance for enquiry, none of the parties and their respective counsels were present and there was no representation at all on either side. Though the matter is pending for adjudication before this Tribunal ever since 1-10-2001, no progress has been made in this case. Since none of the party evinces interest to prosecute this case before this Tribunal in spite of the fact that various opportunities were afforded to them and the case was posted finally for enquiry on 11-11-2002, hence orders have been reserved to decide this dispute on merits, with the available records and materials.

5. The Point for my consideration is:—

"Whether the action of the management of Air India, Chennai, in terminating the services of Shri N. Ramanaiyah w.e.f. 1987 is justified? If not, to what relief the workman is entitled?"

Point:—

It is a specific averment of the Petitioner in his Claim Statement that from 1985 to 1987 he was engaged continuously for two years and was paid wages of Rs. 32 as daily wages apart from over time wages. It is his further contention that after completion of more than 480 days in two continuous calendar years, he was not permitted to work further, even though the work was available for his continuous employment. The Respondent/Management in their Counter Statement has admitted that the Petitioner was engaged on casual basis between the various dates in the years of 1985 and 1986 and the Petitioner had worked on casual basis for a total period of 141 days in those two years. It is further alleged in the Counter Statement that the averment of the Petitioner that he had completed more than 480 days in two calendar years is false and incorrect and that the averment that he had been terminated from service, want only by the Respondent/Management is also false. Under such circumstances, it is for the Petitioner to come forward to prove his case that he had worked for more than 480 days continuously in two years from 1985 to 1987. The Petitioner has not chosen to let in any oral or documentary evidence to substantiate his stand that he had worked continuously for a period of 480 days in a consecutive two years from 1985 to 1987. Further, he has not stated any reason in his Claim Statement as to why there is a delay of 13 years in raising this dispute after his alleged termination of service in the year 1987. It is not the averment of the Petitioner in his Claim Statement that any appointment order or termination order was issued to him by the Respondent/Management, when he was engaged and disengaged in/from service by the Respondent/Management. He himself has admitted that he was paid daily wages of Rs. 32 and it is not his case that he was employed as a permanent employee by the Respondent/Management. In the absence of any evidence both oral and documentary on the side of the Petitioner to prove his allegations made in the Claim Statement for the relief he has prayed for, it can be said that the Petitioner has not discharged his burden when especially his averments had been specifically denied by the Respondent/Management in their Counter Statement. Further, even as per the averment in the Claim Statement, the Petitioner was disengaged from service from 1987 but he has raised this claim belatedly after 13 years without giving any reason for the delay. So it amounts to a stale claim which cannot be considered at all as it is averred in the Counter Statement of the Respondent/Management. Under such circumstances, for want of proof of the claim made by the Petitioner in his Claim Statement, it can be concluded that the Petitioner is not entitled for any relief much less the relief prayed for in his Claim Statement. Further, as it is contended by the Respondent/Management in their Counter Statement, there is no question of termination of the services by the Respondent/Management in the year

1987. Hence, under such circumstances, it can be held that the Respondent/Management Air India, Chennai, has not terminated the services of the Petitioner. Hence, the Petitioner cannot claim reinstatement in service with all attendant benefits and the concerned workman is not entitled for any relief. Thus, the point is answered accordingly.

6. In the result, an Award is passed holding that the concerned workman Sri N. Ramanaiah is not entitled for any relief. No Cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 12th December, 2002).

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined :—

On either side—None.

Documents Exhibited :—

On either side—Nil.

नई दिल्ली, 28 जनवरी, 2003

का.आ. 636.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रिय सरकार भा.को.को.वि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रिय सरकार औद्योगिक अधिनियम I, धनबाद के पंचाट (संदर्भ संख्या 2/2000) को प्रकाशित करती है, जो केन्द्रिय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं. एल-20012/121/99 आई.आर. (सा-I)]

एस.एस. गुप्ता, अवसर सचिव

New Delhi, the 28th January, 2003

S.O. 636.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. 2/2000) of the Central Government Industrial Tribunal No. I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 24-1-2003.

[No. L-20012/121/99-IR(C-I)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)(2A) of the Industrial Disputes Act, 1947.

Reference No. 2 of 2000

#### PARTIES :

Employers in relation to the management of Loyabad Coke Plant of M/s. BCCL.

AND

Their Workmen.

#### PRESENT :

Shri S. H. Kazmi,  
Presiding Officer.

#### APPEARANCES :

For the Employers : Shri D. K. Verma, Advocate.

For the Workman : Shri B. N. Singh, General Secretary,  
National Coal Workers Congress.

STATE : Jharkhand

INDUSTRY : Coal

Dated, the 10th January, 2003

#### AWARD

By Order No. L-20012/121/99-IR(C-I) dated 24-8-1999 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the action of the management of BCCL to change the date of birth of Smt. Mungia Kamini, Wagon Loader of Loyabad Coke Plant from 1-11-1949 to 1-1-1940 is correct and justified? If not, to what relief the workman is entitled?”

2. Precisely, the case of the sponsoring union is that the concerned workman, Mungia Kamini, was initially appointed on 18-1-1973 in Gopalchak Colliery of M/s. BCCL and at that time she got her necessary particulars including the date of birth entered in original statutory Form ‘B’ Register of that colliery. It has been said that the actual date of birth of the concerned lady as entered in the said register was 1-11-1949 and in the Identity Card also which was issued in the year 1975 her date of birth was mentioned in the same way and the date of appointment was mentioned as 18-1-73, the same date which was mentioned in the Form ‘B’ Register. Further it has been said that the concerned workman while working in Gopalchak Colliery was issued carbon copy of her service excerpt in the year 1987 prepared by the management in which her date of birth and date of appointment was respectively written as 1-1-40 and 1-10-77. It is said that those dates were imaginary and not based on entries at Serial No. 120 of original statutory Form ‘B’ Register. Further, it is said that due to such wrong entry in the carbon copy of service excerpt, industrial dispute was raised vide letter dated 10-3-98 of the union before the A.L.C.(C), Dhanbad, but the conciliation ended in failure and ultimately the dispute was referred to this Tribunal for adjudication. It has been said that the action of the management in changing the actual date of birth of the concerned workman from 1-11-49 to 1-1-40 was illegal, arbitrary and unjustified and she is entitled to continue in employment as per her actual and correct date of birth.

3. The management's case, on the other hand, in short, is that the workman concerned was initially an employee of Gopalchak Colliery and as per Form ‘B’ register of that colliery her date of appointment was 13-1-73 and her date of birth is 1-1-40. It has been said that later she was transferred to Loyabad Coke Plant in the year 1977 and as per Man Power Register of the said Plant her date of birth is 1-1-40. Further, it has been said that the management issued service excerpt to the workman concerned in the year 1987 and as per the entries made therein her date of birth is 1-1-40. The management invited objections from the workman concerned in respect of the entries made in the service excerpt, but no objection was raised by her and she accented those entries by putting her counter signature. It is said that the workman concerned never raised any objection regarding her date of birth recorded in the service excerpt and it is only after lapse of eleven years at the fast end of her service tenure the union raised the industrial dispute regarding date of birth which is not maintainable in any view of the matter. Further, it is said that the management of Loyabad Colliery never changed the date of birth of the workman concerned from 1-11-49 to 1-1-40 and the term of reference is bad in law as from perusal of the same it appears that the Government has already decided the issue and nothing left for the Tribunal for being adjudicated. Lastly it has been said that the workman concerned is not entitled to any relief and her date of birth recorded in the service record of Loyabad Coke Plant is correct.

Both sides filed their rejoinders as well and therein also while denying or controverting the statements or averments

made in the written statement they reiterated their stands, already taken in their respective written statements.

4. From the stands taken on behalf of the parties, as noticed above, it is apparent that the terms of reference are not properly formulated. Any correction being made by the management in the date of birth of the concerned lady is not an admitted fact, rather the same is the allegation of the concerned lady. The issue involved to be considered, as such, is not relating to any correction being made by the management in the date of birth of the concerned lady, rather the same is to the effect whether the management can be taken to have brought any change in the date of birth as initially entered in Form 'B' Register and also whether the concerned lady was rightly superannuated or not on the basis of relevant entry in the service record, such as, form 'B' Register.

5. In support of their respective stands both sides have led their oral as well as documentary evidence.

6. Out of five documents filed on behalf of the management Ext. M-1 is attested photo copy of the Form 'B' Register of Gopalichak Colliery wherein at Serial No. 120 the necessary particulars of the concerned lady are mentioned, her date of birth is mentioned as 1-1-40 and her date of appointment as stands mentioned is 13-1-73, Ext. M-2 is photo copy of service particulars of the concerned lady dated 3-5-95 wherein as against the date of appointment and date of birth EDP is mentioned, Ext. M-3 is photo copy of pay-sheet issued by the concerned management i.e. Loyabad Coke Plant wherein the date of birth of the concerned lady and her date of appointment are mentioned as 1-1-40 and 1-10-77 respectively, Ext. M-4 is the photo copy of Man Power Register of Loyabad Coke Plant wherein necessary particular relating to the concerned lady are mentioned at Serial No. 150 and her date of birth and date of appointment are mentioned as 1-1-40 and 1-10-77 respectively and Ext. M-5 is photo copy of service excerpt of the concerned lady issued in the year 1987 in which also her date of birth and date of appointment are mentioned as 1-1-40 and 1-10-77 respectively.

It is thus obvious from the aforesaid relevant documents produced from the side of the management that the date of birth of the concerned lady is consistently shown as 1-1-40.

On the other hand, the documents filed on behalf of the concerned lady are Identity Card issued by Gopalichak Colliery in the year 1975 (Ext. W-1) wherein her date of birth and date of appointment are mentioned as 1-11-49 and 18-1-73. The new Identity Card issued by M/s. BCLL (Ext. W-1) wherein the column meant for date of birth is blank and carbon copy of service excerpt issued in the year 1987 (Ext. W-2) which has been produced by the management also and is marked Ext. M-5. It is the afore-mentioned old Identity Card (Ext. W-1) upon which mainly reliance has been placed for the present purpose.

Apart from filing of the aforesaid documents one witness has been examined on behalf of the management and likewise one witness has been examined from the side of the workman as well.

7. It has been urged on behalf of the workman that as per the evidence of the management's witness (MW-1) in the last pay certificate brought by the concerned lady at the time when she was transferred to Loyabad Coke Plant her date of birth was mentioned as 1-1-40 and on that basis entry was made in the records of the Coke Plant, but no such L.P.C. was filed in support of the statement of this witness. It has also been contended that original Form 'B' Register of Gopalichak Colliery was not produced and the attested copy of the same which has been produced is not worthy of making any reliance and raises suspicion about its genuineness. It has been submitted that in the said document (Ext. W-1) the workman's particulars are contained in serial No. 120, but just below 120, 123 was also written which appears to have been cut subsequently and further, above the particulars of the concerned lady at Sl. No. 118 the date of appointment of that particular workman is given as 27-1-73 whereas the date of birth of the concerned lady as mentioned in Sl. No. 120 is given as 13-1-73. It has been urged that Form 'B' is never maintained in such a manner and the serial number is maintained therein in accordance with the date of appointment of the workman. It has been submitted that the defects as pointed out make the said document (Ext. M-1) unreliable.

It cannot be denied that L.P.C. is always issued on the basis of the relevant entries contained in the service record particularly the Form 'B' Register. If the L.P.C. has not been produced then Form 'B' itself of the concerned lady has been produced which mentions her date of birth as 1-1-40. So non-production of L.P.C. does not make much difference. It is an admitted fact that from Gopalichak Colliery the concerned lady was transferred to Loyabad Coke Plant in the year 1977 and so at that time as per the rules and practice, the L.P.C. must have been issued to her which she must have produced at Loyabad Coke Plant. Neither in her written statement nor in her evidence there is any mention about the issuance of L.P.C. to her or about her date of birth mentioned therein. The fact as regards issuance of L.P.C. to her has not been denied and no suggestion was made to MW-1 that in L.P.C. the date of birth was not mentioned as 1-1-40.

True it is that the original Form 'B' of Gopalichak Colliery has not been produced but the copy of the same which has been filed is not just the copy rather the same bears the attestation of senior official of Gopalichak Colliery also, namely, the Personnel Manager. So certainly it carries some weight and cannot be easily brushed aside. As far as those cuttings etc. in Ext. M-1, as pointed out above on behalf of the workman are concerned, it appears from that document that earlier serial numbers were incorrectly mentioned and so by cutting the same in order to maintain the serial fresh numbers were given. So far mentioning of the date of appointment of the workman in the said document is concerned, it is true that those are mentioned in the same way as pointed out above, but merely on account of cutting in serial number or mentioning of date of appointment in the aforesaid manner, the genuineness of the said document or relevant entries made therein do not become doubtful or suspicious and simply due to that reason it cannot be inferred that any interpolation was done, or purposely any wrong entry was made or manufactured. Moreover, the genuineness and authenticity of the said document remained unchallenged during the evidence. Neither the concerned lady in her evidence has raised any doubt about the genuineness of the said document nor it has been suggested to the management's witness MW-1 that the said document was either forged, fabricated or manufactured. Suggestion given is only to this effect that the documents which have been filed on behalf of the management do not contain correct entries with respect to the date of appointment, date of birth etc. Therefore, the aforesaid document (Ext. M-1) is a document over which the reliance for the present purpose can certainly be made and there does not appear to be any reason why the same should be discarded altogether and should not be taken into consideration.

8. As mentioned earlier also the only document upon which the entire claim of the concerned workman is based and over which much stress has been made is the Identity Card said to have been issued in the year 1975 by the management of Gopalichak Colliery and in which the date of birth of the said lady is mentioned as 1-11-49. As the writing of the entry of date of birth appears to be more prominent and bold than the writings of other columns of the same, it has been forcefully urged on behalf of the management that quite obviously interpolation has been done and so the said document cannot be relied upon. During the evidence also in course of cross-examination of WW-1 the suggestion was made to her that interpolation was done in the said document to which she denied. Assuming the said document to be a genuine document and accepting that there is no mention of date of birth in the new Identity Card (Ext. W-1/1), merely on this count or merely on the basis of that it is difficult to gather conclusively that, in fact, actual date of birth of the concerned lady is 1-11-49 as claimed by her and not 1-1-40 as suggested by the management specially in view of series of relevant documents filed on behalf of the management, as noticed above, wherein the date of birth of the said lady is consistently mentioned as 1-1-40.

One another relevant aspect can also be not over-looked. Admittedly, in the year 1987 the service excerpt prepared by the management was issued to the concerned lady in which her date of birth and date of appointment were clearly mentioned as 1-1-40 and 1-10-77 respectively and the purpose of issuing of the service excerpt was for inviting objections if any from the workman with regard to necessary particulars as mentioned in the service record particularly regarding the



date of birth. The said documents contain the specific column also for raising objections, if any. The copies of the said service excerpts have been filed on behalf of both the sides and those are marked Ext. M-5 and W-2. They do not contain any objection being raised and the column meant for that purpose is blank. When the question in that regard was put to the concerned lady in course of her cross-examination she clearly stated that after the receipt of the service excerpt she had not raised objection in writing though she had raised objection verbally before the authorities of the management. Neither in the written statement nor during the evidence there is any statement as to when and in which year and before which authority of the management any such objection was being raised. In para 6 of the written statement of the workman the statement made is to the effect that in view of imaginary date of birth of the concerned workman written as 1-1-40 in the carbon copy of her service excerpt prepared by the management and issued to her, industrial dispute was raised vide letter No. NCWC/96 dated 10-3-98 of the union. So it is clear from these statements that after the receipt of service excerpt in the year 1987 the industrial dispute was raised in the month of March, 1998 and there is no explanation furnished as to whether in the meantime during those eleven years any effort or attempt was made by way of filing representation or in any other manner in regard to the correction of date of birth. Nothing has been brought on record by way of explaining the delay which was caused in raising the industrial dispute. Even if it is taken that the said lady is rustic and illiterate as suggested on her behalf, from her own evidence it is apparent that in the year 1987 itself when the service excerpt was issued to her she knew it well that her date of birth therein is mentioned as 1-1-40 and according to her though not in writing but verbally she had raised objection. She could have approached the union for sponsoring the dispute on her behalf or take up the matter on her behalf either in the year 1987 or within a reasonable period. No explanation is forthcoming why the union took up the cause of the concerned lady and raised the dispute only in the year 1998 i.e. at the far end of her service tenure.

Precisely, the inordinate and unexplained delay which was caused in raising the industrial dispute is also yet another aspect or circumstance which goes against the concerned workman.

9. Thus, in view of all that has been observed above taking into account the materials on record, it is finally concluded that no any correction or alteration was made by the management in the date of birth of the concerned lady and she was rightly superannuated on the basis of entry made in that regard in the Form 'B' register as well as in other service record and consequently she is not entitled to any relief whatsoever.

10. The award is, thus, rendered as hereunder :

No correction or alteration in the date of birth of the concerned lady was made by the management and its action in superannuating the concerned workman w.e.f. 1-1-2000 on the basis of her date of birth mentioned in the service record is justified and so the concerned workman is not entitled to any relief whatsoever.

However, there would be no order as to cost.

S. H. KAZMI, Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का.आ. 637.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार ई.सो.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II धनवाद के पंचाद (संदर्भ संख्या 205/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं. एल-20012/562/97-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S.O. 637.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 205/98) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of E.C.L. and their workman, which was received by the Central Government on 24-1-2003

[No. L-20012/562/97-IR(C-I)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 205 of 1998

PARTIES :

Employers in relation to the management of Hariajam Colliery of M/s. ECL and their workman.

APPEARANCES :

On behalf of the workman—None.

On behalf of the employers—Shri B. M. Prasad, Advocate.

STATE : Jharkhand.

INDUSTRY : Coal.

Dated, Dhanbad, the 30th December, 2002

#### ORDER

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/562/97-Coal-I, dated, the 30th November, 1998.

#### SCHEDULE

"Whether the action of management of Hariajam Colliery of M/s. ECL in denying payment of difference of wages of Sri Rameshwar Turi from 1987 to 25-7-1990 and not regularising him after completion of training of one year i.e. from 26-7-1991 is justified? If not, to what relief the workman is entitled?"

2. In this reference neither the concerned workman nor his representative appeared. Only the management side appeared in this reference through their learned Advocate. It is seen from the record that the instant reference was received by this Tribunal on 15-12-98 and since then it is pending for disposal. Registered notices and show cause notices were issued to the workman side but in spite of the issuance of notices they failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002(94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties

do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the workman inspite of issuance of registered notices. As per I.D. Act the workmen excepting under provisions of Section 2A is debarred from raising any industrial dispute. The disputes are mainly raised by the Union for their workmen. These unions inspite of receiving notices did not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Untill and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the co-operation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workmanside is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का.आ. 638.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निम्नलिखित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या: 56/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 21-1-2003 को प्राप्त हुआ था।

[सं. एन-20012/443/96-आई.आर. (सो-1)]

एस. एस. गुप्ता, अवसर सचिव

New Delhi, the 28th January, 2003

S.O. 638.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 56/98) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 24-1-2003.

[No. L-20012/443/96-IR(C-1)]

S. S. GUPTA, Under Secy.

# ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

## PRESENT:

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act, 1947

Reference No. 56 of 1998

## PARTIES:

Employers in relation to the management of M/s. B.C.C.L. and their workman.

## APPEARANCES:

On behalf of the workman: None.

On behalf of the employers: None.

State: Jharkhand

Industry: Coal.

Dated, Dhanbad, the 30th December, 2002

## ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/443/96-IR(Coal-I), dated, the 6th March, 1988.

## SCHEDULE

"Whether the action of the General Manager, Govindpur Area No. III of M/s. BCCL, P.O. Sonardih Dist. Dhanbad in dismissing Shri Hiralal Bhuia Miner/Loader w.e.f. 17-9-93 is justified? If not, to what relief is the concerned workman entitled to?"

2. In this reference neither the concerned workman nor his representative appeared. The management also did not appear before this Tribunal. It is seen from the record that the instant reference was received by this Tribunal on 23-3-98 and since then it is pending for disposal. Registered notices and show cause notices were issued to the workman/union as well as to the management but inspite of the issuance of notices they failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002(94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that the when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the workman inspite of issuance of registered notices. As per I.D. Act the workmen excepting under provisions of Section 2A is debarred from raising any industrial disputes. The disputes are mainly raised by the Union for their workmen. These unions inspite of receiving notices did not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Untill and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinitely period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का.आ. 639.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों

और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण I, धनबाद के पंचाट (संदर्भ संख्या 146/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-03 को प्राप्त हुआ था।

[सं. एन-20012/183/96-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S.O. 639.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 146/97) of the Central Government Industrial Tribunal I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 24-1-2003.

[No. L-20012/183/96-IR(C-I)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL CUM LABOUR COURT NO. 1, DHANBAD

In the matter of a reference under Section 10(1)(d) of the

Industrial Disputes Act, 1947

Reference No.146 of 1997

#### PARTIES :

Employers in relation to the management of Bhowra Area of BCCL

#### AND

Their Workmen

PRESENT : Shri S. H. Kazmi, Presiding Officer.

#### APPEARANCES :

For the Employers : None.

For the Workmen : None.

State : Jharkhand

Industry : Coal.

Dated, 13-1-2003

#### AWARD

By order No. L-20012/183/96-IR(C-I) dated, 19-8-97 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the demand of the union for the placement of Md. Ishaq in the technical Grade-G w.e.f. 1990 is legal and justified? If so, to what relief is the workman entitled?"

2. None appears on behalf of the parties and despite the long pendency of this case for more than 5 years till date not even the Written Statement on behalf of the workman has been filed. It further appears that from time to time several adjournments were granted after issuance of notices even under Registered cover to enable the workman to appear and to file Written Statement but even then no significant development could take place and the position remained the same.

It is thus evident from the past developments, as noticed above, that the concerned workman or the union has lost interest and does not want to pursue this case any further. As there does not seem to be any dispute left for being adjudicated it is needless to allow this case remain pending for any longer.

Thus in view of all the aforesaid, this reference is finally disposed of.

S. H. KAZMI, Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का.आ. 640.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसंधान में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबंध निरीक्षकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या 122/97) को प्रकाशित करता है, जो केन्द्रीय सरकार को 24-1-03 को प्राप्त हुआ था।

[सं. एन-20012/322/96-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S.O. 640.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 122/97) of the Central Government Industrial Tribunal II, Dhanbad, now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of B.C.C.L. and their workman, which was received by the Central Government on 24-1-2003.

[No. L-20012/322/96-IR(C-I)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

#### PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947

Reference No. 122 of 1997

#### PARTIES :

Employers in relation to the management of Bastacolla Area of M/s. BCCL and their workman.

#### APPEARANCES :

On behalf of the workman : None.

On behalf of the employers : Shri S. N. Sinha, Advocate.

State : Jharkhand

Industry : Coal.

Dated, Dhanbad, the 30th December, 2002

#### ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/322/96-IR(Coal-I), dated, the 7/10-11-97.

#### SCHEDULE

"Whether the demand of the Union for the regularisation of Shri Ram Bali Pandey as Foreman (Exevn) in Category 'A' w.e.f. 28-1-1989 is legal and justified? If so, to what relief is the workman entitled?"

2. In this reference neither the concerned workman nor his representative appeared. The management, however, appeared through their learned Advocate. It is seen from the record that the instant reference was received by this Tribunal on 24-11-97 and since then it is pending for disposal. Registered notices and show cause notices were

## ANNEXURE

## BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section (10)(1) (d) of the I.D. Act, 1947

Reference No. 3 of 1999

PARTIES :

Employers in relation to the management of Gopalichak Colliery of M/s. BCCL and their workman.

APPEARANCES :

On behalf of the workman—None.

On behalf of the employers—Shri D. K. Verma, Advocate.

STATE : Jharkhand.

INDUSTRY : Coal.

Dated, Dhanbad, the 30th December, 2002

## ORDER

The Government of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/163/98-IR(C-I), dated the 16th December, 1998.

## SCHEDULE

"Whether the action of the management of Gopalichak Colliery of M/s. BCCL in denying the payment of proper wages and other dues w.e.f. 25-8-93 to 10-3-1995 in respect of Shri Mahadeo Mitra, PF Clerk is justified? If not, to what relief the concerned workman is entitled?"

2. In this reference neither the concerned workman nor his representative appeared. The management, however, appeared through their learned Advocate. It is seen from the record that the instant reference was received by this Tribunal on 1-11-99 and since then it is pending for disposal. Registered notices and show cause notices were issued to the workman/union as well as to the management but in spite of the issuance of notices the workman/union have failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002(94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the workman in spite of issuance of registered notices. As per I.D. Act the workman excepting under provisions of Section 2(A) is debarred from raising any industrial disputes. The disputes are mainly raised by the Union for their workmen. These unions in spite of receiving notices did not care to appear before the Court for the interest of the workmen, and as a result they have been deprived of getting any justice. Until and

issued to the workman/union as well as to the management but in spite of the issuance of notices the workman/union failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002(94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the workman in spite of issuance of registered notices. As per I.D. Act the workmen excepting under provisions of Section 2A is debarred from raising any industrial disputes. The disputes are mainly raised by the Union for their workmen. These unions in spite of receiving notices did not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Until and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का.आ. 641 : औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के सबद्ध नियोजकों और उनके कार्यकारियों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या 3/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-03 को प्राप्त हुआ था।

[सं. एल-20012/163/98-आई.आर. (सो-1)]

एस.एस. गुप्ता, अव्वर सचिव

New Delhi, the 28th January, 2003

S.O. 641.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 3/99) of the Central Government Industrial Tribunal-II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman which was received by the Central Government on 24-1-2003.

[No. L-20012/163/98-IR(C-I)]

S. S. GUPTA, Under Secy.

unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का.आ. 642 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार टिस्को के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-I, धनबाद के पंचाट (संदर्भ संख्या 72/96) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं. एल-20012/266/95-आई.आर. (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S.O. 642.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 72/96) of the Central Government Industrial Tribunal-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of TISCO and their workman, which was received by the Central Government on 24-1-2003.

[No. L-20012/266/95-IR(C-I)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

#### THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT NO. 1, DHANBAD

In the matter of a reference under Section 10(1)(d) of the Industrial Disputes Act, 1947

Reference No. 72 of 1996

#### PARTIES :

Employers in relation to the management of Jamadoba Colliery of TISCO Ltd.,

AND

Their workmen.

#### PRESENT :

Shri S. H. Kazmi, Presiding Officer.

For the Employers—None.

For the Workmen—None.

STATE : Jharkhand.  
350 GI/2003—17

INDUSTRY : Coal.

Dated, 10th January, 2003

#### AWARD

By Order No. L-20012/266/95/IR/Coal-I, dated, 26th September, 1996 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of Sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :—

“Whether the management of M/s. TISCO, Jamadoba is justified in imposing a punishment of suspension for five days with effect from 1-6-1992 on Sh. Deo Prasad Singh, Sr. Security Guard? If not, to what relief is the said workman entitled?”

2. None appears on behalf of the parties despite even the Registered notice being sent on the last date.

It appears from the records that this reference was Registered before this Tribunal on 8-10-96 and thereafter the date was fixed for appearance and for filing of written statement by the workman. Several adjournments were granted from time to time to enable the workman to appear and to file the written statement but no any significant development could take place and still this reference is pending for the said purpose. It is thus evident that the concerned workman or the union has lost interest in this case and does not want to pursue the same any further otherwise there does not appear to be any reason why they have left this case unattended.

Considering the circumstances, as noticed above, it is needless to keep this case pending any further.

This reference, as such, stands finally disposed of.

S. H. KAZMI, Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का.आ. 643 :—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-I, धनबाद के पंचाट (संदर्भ संख्या 61/93) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं. एल-20012/277/91-आई.आर. (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S.O. 643.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 61/93) of the Central Government Industrial Tribunal-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 24-1-2003.

[No. L-20012/277/91-IR(C-I)]

S. S. GUPTA, Under Secy.

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d) (2A) of the Industrial Disputes Act, 1947

Reference No. 61 of 1993

PARTIES :

Employers in relation to the management of Bararee Colliery of M/s. B.C.C. Ltd.

AND

Their Workmen.

PRESENT :

Shri S. H. Kazmi, Presiding Officer.

APPEARANCES :

For the Employers—Shri H. Nath, Advocate.

For the Workmen—Shri B. N. Sharma, Authorised Representative.

STATE : Jharkhand.

INDUSTRY : Coal.

Dated, the 9th January, 2003

AWARD

By Order No. L-20012(277)/91-I.R.(Coal-I) dated the 21st January, 1993 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of Sub-section (1) and Sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal.

"Whether the action of the management in terminating the services of Shri Pancham Koiri w.e.f. 17-2-79 is justified? If not, to what relief the workman is entitled to?"

2. Precisely stated the case of the concerned workman is that he was appointed as C.P. Miner at Jealgora colliery in the year 1965 and was thereafter transferred to Bararee colliery in the year 1976 where he worked continuously till the date of dismissal from his service w.e.f. 17-2-1978. It has been said that the charge sheet dated 22-10-78 was issued against the concerned workman under clause 27(1), 27(9) and 27(19) of the Certified Standing Orders of the Company. The reply to the said charge sheet was submitted by the concerned workman and he specifically denied therein the charge of disobedience of any lawful or unlawful or reasonable order. It is said that no order lawful or unlawful ever served or communicated to him and there was no misconduct on the part of the workman under clauses mentioned above and further the charge of violation of the regulations mentioned in the charge sheet were totally baseless and false and those regulations were not applicable to the facts and circumstances of the instant case. Further it has been said that the concerned workman had not caused any damage to the property of BCCL but even then he was dismissed on

false and fabricated charges. It has also been said that for certain period the concerned workman was an active member of R.C.M.S. in connection whereof he used to take up the causes of his co-workers and place those grievances before the higher officials of the management. But this caused annoyance to the higher officials of the management and they became biased against the concerned workman and in order to curb down the trade union activities of the concerned workman, the concerned officials of BCCL adopted unfair labour practice in victimising the concerned workman and served a charge sheet on him containing some imaginary baseless and wild allegations against him and when complete and satisfactory explanation was given by the concerned workman they refused to take into consideration and ignored the same. Further it is said that the Enquiry Officer violated the principles of natural justice and acted in a most unfair and partison manner and based his finding on no evidence. It is also said that a perfunctory enquiry was held by way of eye wash and the concerned workman was not given sufficient opportunity to defend himself either by way of examining the witnesses or cross-examining the witnesses of the management. Further, it has been said that at no point of time before or after passing of the order of dismissal, the copies of enquiry proceedings were supplied to the concerned workman. It is said that the action of the management, as such, in terminating the service of the concerned workman is not justified and he is entitled to reinstatement with full back wages.

3. The management's case, on the other hand, is that the concerned workman was charge-sheeted for sit down illegal strike in underground and stoppage of work and also for quarrelling with his co-workers and for those charges a domestic enquiry was conducted in which principle of natural justice was fully observed by the Enquiry Officer and the concerned workman was given full opportunity to defend his case and he fully participated in the same also. Upon the completion of enquiry proceeding, it is said the enquiry report was submitted by the Enquiry Officer who found the concerned workman guilty of grievous misconduct and thereafter on the basis of the said report he was dismissed from the service of the company vide letter dated 17-2-79 by the General Manager Bhowra Area. Further, it has been said that the concerned workman thereafter filed a Title Suit in Civil Court, Dhanbad which he lost. It is said that the concerned workman raised this industrial dispute after a lapse of ten years which has made his claim a stale claim. It has been said that the concerned workman was rightly dismissed from his services for violating the Standing Orders of the Company applicable to him and the action of the management was fully justified. Further, it is said that any other action of the management short of dismissal would have been an encouragement to others to do the same act affecting not only the safety of the mine but also of the workers employed there.

Apart from filing their written statements the parties filed their rejoinders also in which while controverting or denying the statements they reiterated their stands already taken in their written statements.

4. It is significant to point out at the very outset that despite granting several adjournments the management failed to produce documents relating to the domestic enquiry and only two witnesses were examined on its behalf and ultimately mainly due to the reason that necessary documents of enquiry were not filed, after hearing both the sides by order dated 8-12-99 the domestic enquiry was held to be unfair and improper. Thereafter the management was allowed to adduce its evidence on merit. Despite taking several adjournments the management did not adduce any oral evidence on merit and simply filed two documents and closed its case. However, the concerned workman got himself examined as a witness on his behalf and closed his evidence. Those two documents which were filed on behalf of the management and were marked Exts M-4 and M-5 are copies of letter dated 3-7-90 and a petition dated 28-6-91 submitted before the Conciliation Officer during the pendency of the conciliation proceeding in relation to the present matter. Hence, in view of the developments which have been made so far during the pendency of the instant case, the only question which is now left for consideration is as to whether on the basis of the materials which have been brought on record, the action of the management can be held to be justified or not.

5. As it has already been mentioned above, the management has not adduced any oral evidence on merit and simply two documents of the aforesaid nature have been filed on its behalf. Those two letters or applications are addressed to the Asstt. Labour Commissioner (Central), Dhanbad and were sent by the concerned workman in which he put forward his case and challenged the findings of the Enquiry Officer on several grounds. These documents, as such, are of not much significance and in no way by the same the action of the management can be justified. Though it is not required to look into oral evidence adduced on preliminary issue relating to the fairness of domestic enquiry in which after evidence and argument the necessary order has already been passed earlier, but even if oral evidence led at that stage is to be taken into account then from that also it is difficult to gather that the management even to some extent succeeded in establishing its case or justifying its action. MW-1 at one place has said that in October, 1978 the concerned workman set on 'Dharna' underground and due to sitting on 'Dharna' by him underground work was hampered and subsequently he was chargesheeted for such misconduct but at the other he has said that he cannot say exact date when the workman sat on 'Dharna' and has also said that he was not concerned with that 'Dharna'. Further, according to him, he cannot say whether any order was given to the workman for calling off 'Dharna' and further as to what was the exact charge on which the charge-sheet was issued to him. Quite obviously the statement of this witness cannot be taken to be sufficient in justifying the action of the management against the concerned workman. Considering the nature of his evidence not much reliance can be placed upon his testimony. MW-2 was produced by the management only for the purpose of proving certain documents which were filed at that stage and which were marked Exts M-1 to M-3 and which were just the reply of the management addressed to the A. L. C.

a note-sheet under the signature of an official of the management and a letter sent by the concerned workman to the A.L.C.(C). He also identified few signatures of the officials which were there on some of those documents. He stated about the charge-sheet being served upon the concerned workman for committing misconduct and then the enquiry conducted by the Personnel Manager after having been appointed as Enquiry Officer. He thereafter stated that the file relating to the enquiry proceeding is not traceable in the office. During his cross-examination he has made it clear that he has no personal knowledge about the procedure adopted by the Enquiry Officer and he was not present during the enquiry. Therefore, this witness was produced simply on the question of enquiry and he has not stated anything about the merit of the charges levelled against the concerned workman. His evidence as such is also of no significance so far the present purpose is concerned and in no way the same comes to the rescue of the management.

The concerned workman, on the other hand, during his evidence as WW-1 supported the stand taken by him and has said that though he was served with a charge-sheet no domestic enquiry was held in his presence or any evidence was led to prove the charges. He has also said that the management has brought a false charge against him due to his trade union activities. In course of his cross-examination at one place he has said that since no enquiry was held therefore he did not participate in any domestic enquiry. This statement made by him contradicts his own earlier stand taken in his written statement where no denial has been made as far as holding of enquiry is concerned, but the stand which has been taken is that the enquiry which was held was perfunctory enquiry just by way of eye wash and the Enquiry Officer violated the principle of natural justice and acted in a most unfair and partisan manner. Anyway, at the moment we are only concerned about the merit of the case and not about the aspect relating to the fairness of domestic enquiry as the said matter has already been disposed of earlier. For the present, it is apparent from the above that the management has miserably failed to justify its action by leading any evidence worth mentioning on merit. Considering the materials produced, as such, there is no alternative left but to hold that the dismissal of the concerned workman from his service was improper and unjustified.

6. Realising the difficulty in justifying its action due to non-availability of sufficient materials, much stress or emphasis has been made on behalf of the management upon the delay caused in raising industrial dispute. It has been urged that the dispute which has been raised after ten years can only be called as over stale claim or dispute and so on this score itself the concerned workman is not entitled for any relief particularly in view of several decisions of Hon'ble High Courts. It is apparent that the concerned workman was dismissed from his service in the year 1979 but the industrial dispute was raised only in the year 1990. In the written statement of the concerned workman there is no explanation furnished as to why such an inordinate delay was caused. It is only when the management's written statement was filed taking the ground of delay as well, in the rejoinder filed, to the said written statement it was



stated on behalf of the concerned workman that the concerned workman had filed a suit also against the action taken by the management but later that suit was dismissed due to non-prosecution and thereafter industrial dispute was raised before the A.L.C.(C). So in this process some delay was caused and just because of such delay which has already been explained the industrial dispute cannot be taken to be a stale one. The workman in his evidence has not stated anything about pendency of any suit or the delay caused. He has not furnished any explanation in that regard. In the said rejoinder of the workman though the number of that suit has been mentioned as T.S. 233/81 but it is not mentioned as to when that suit was finally disposed of. It is also not mentioned as to why in the year 1981 the suit was filed when the workman had already been dismissed in the year 1979 itself.

Thus, in view of all the aforesaid, there is no difficulty in observing that much delay was caused in raising the industrial dispute and even if the pendency of the said suit for sometime is taken into consideration the delay caused does not stand satisfactorily explained. However, in the facts and circumstances of the instant case it would not be in the ends of justice to refuse to grant relief to the concerned workman altogether merely on the ground of delay caused in raising the industrial dispute. Hon'ble Supreme Court in a decision reported in 2001 L.L.R. 900—Swapan Kumar Pandit vs. U. P. Electricity Board, has held that it is not proper to quash the reference merely on the ground of delay but of course the long delay caused in raising industrial dispute can be considered by the adjudicating authority, while moulding its relief. In the light of such observation of Hon'ble Court, despite the finding as regards the delay caused, it would be just and proper in the instant case if the concerned workman is allowed the relief of reinstatement but only with 40 per cent of his back wages and this would certainly serve the ends of justice.

7. Thus, in view of all the aforesaid considerations and discussions it is finally concluded that the management's action cannot be held to be justified and the concerned workman deserves his reinstatement in the service of the management with 40 per cent of his back wages from the date of his dismissal till the date of his reinstatement.

8. The award is, thus, made as hereunder :

The action of the management in terminating the services of the concerned workman, Pancham Koiri w.e.f. 17-2-79 is not justified and he deserves to be reinstated in the services of the management with 40 per cent of his back wages. Consequently the management is directed to reinstate the concerned workman and to pay him 40 per cent of his back wages from the date of his dismissal till the date of his reinstatement.

In the circumstances of the case there would be no order as to cost.

S. H. KAZMI, Presiding Officer.

नई दिल्ली, 28 जनवरी, 2003

का.आ. 644—: औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण-I, धनबाद के पंचाट (संदर्भ संख्या 113/92) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं. एल.-20012/205/92-आई.आर. (सी-1)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S.O. 644.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 113/92) of the Central Government Industrial Tribunal-I, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 24-1-2003.

[No. L-20012/205/92-IR(C-1)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1) (d) (2A) of the Industrial Disputes Act, 1947.  
Reference No. 113 of 1992.

#### PARTIES :

Employers in relation to the management of  
Sijua Area of M/s. B.C.C. Ltd.

#### AND

Their Workmen.

#### PRESENT :

Shri S. H. Kazmi, Presiding Officer.

#### APPEARANCES :

For the Employers. Shri S. Nath, Advocate.

For the Workman : Shri D. Mukherjee, Advocate.

STATE : Jharkhand. INDUSTRY : Coal.

Dated, the 15th January, 2003

#### AWARD

By Order No. L-20012(205)/92-I.R. (Coal-I) dated the 25th September, 1992, the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the dispute for adjudication to this Tribunal :

"Whether the action of the management of Sendra Auto Workshop in terminating the



services of Shri Biswanath Kumar, Driver, w.e.f. 22-4-91 is justified? If not, to what relief the workman is entitled to?"

2. The case of the sponsoring union, in short, is that the concerned workman, Bishwanath Kumar, had been working as permanent Driver in Sendra Auto Workshop under Sijua Area with unblemished record of service. It has been said that the management issued a false and frivolous chargesheet dated 7-10-90 against the concerned workman on the allegations of abusing and assaulting Sri D. P. Gour, the management's official, alongwith other workman on 6-10-90 and from the date of issuance of the said chargesheet the concerned workman was suspended also. Further, it has been said that the concerned workman submitted his reply denying those charges and though the explanation furnished by him was satisfactory enough yet the management conducted an invalid and irregular enquiry through a biased and prejudiced Enquiry Officer. It is said that even in the invalid and irregular enquiry the management miserably failed to prove the charges against the concerned workman and further in the said enquiry the concerned workman was not afforded full opportunity to adduce evidence and to go through the documents filed on behalf of the management. It is also said that on the basis of the said invalid and irregular enquiry the management dismissed the concerned workman and the order of dismissal was issued by an unauthorised person. Further the case is that the concerned workman represented before the management several times against the illegal and arbitrary action of the management but without any effect and seeing no other alternative left the union on behalf of the concerned workman raised the Industrial dispute before the A.L.C. (C) which ended in failure due to adamant attitude of the management and then the concerned Ministry of the Government of India referred the dispute to this Tribunal for adjudication. Lastly it has been said that the action of the management in terminating the services of the concerned workman was illegal, unjustified and vindictive in nature and was also to harsh and dis-proportionate to the alleged offence. It has been prayed that the concerned workman be reinstated with full back wages.

3. The management's case, on the other hand, is that a report dated 6-10-90 was received from Shri D. P. Gour, Senior Executive Engineer of Nishitpur Colliery that on 6-10-90 at about 9.25 A.M. the concerned workman alongwith one Jagdish Singh and others came to the office of Sri Gour and with the intention to assault him (Sri Gour) asked his falsely that he was wanted by the Manager of the colliery. Sri Gour suspecting his intention did not go out of his office and then the concerned workman with the help of others insulted and mis-behaved Sri Gour and also tried to assault him by Lathi which anyhow prevented by Gour by catching hold of the same. Later on the concerned workman pushed Sri Gour physically due to which he sustained injury in his left knee. It has been said that the said report of Sri Gour was forwarded to the AM (Transportation) for necessary action by the management, Nishitpur colliery, subsequent to which the concerned workman was issued a chargesheet for (i) attacking with Lathi, (ii) pushing bodily resulting in the left knee

injury, (iii) instigating the mob resulting in head injury to Sri Gour by stone thrown by one Jogeshwar Paswan and also for disrupting the work of the colliery due to which the production was hampered. He was charged accordingly under the Certified Standing Orders No. 18(1), (c), (i) and (t) which was in force during the relevant period. Further it has been said that in reply to the said chargesheet the concerned workman denied the charges levelled against him but admitted that on the issue of water supply the youths of P. N. Section went to Sri Gour on 6-10-90 where quarrel took place and that the concerned workman had gone there to control the bad situation. Having found the reply not satisfactory, it is said, an enquiry was ordered and Sri C. M. Singh, Dy. Personnel Manager, Loya-bad Colliery was appointed as Enquiry Officer who conducted the departmental enquiry following the principles of natural justice in which the charge-sheeted workman fully participated. Upon the completion of the enquiry, it is said, the Enquiry Officer submitted his report dated 15-12-90 holding the concerned workman guilty of the charges levelled against him and considering the gravity of the charges the competent authority approved the dismissal of the concerned workman from his service and accordingly the concerned workman was dismissed from company's service vide letter dated 22-4-91. It has further been said that in dismissing the concerned workman the management has neither victimised him nor has adopted unfair labour practice and any other decision of the management short of dismissal would have encouraged the workman to use violence in the mine against the officials of the mine or with any one which would have made the workings of the mine impossible. It has been said lastly that the action of the management in terminating the service of the concerned workman, as such, is fully justified and he is not entitled to any relief whatsoever.

4. In their respective rejoinders filed to the written statements both the sides while controverting or denying the several averments or statements, reiterated their stands taken in their respective written statement.

5. It is significant to mention at the very outset that during the pendency of the present reference the issue with respect to fairness of the domestic enquiry was taken up as preliminary issue and ultimately by order dated 17-10-96 the domestic enquiry was held to be unfair and improper. Hence, in view of such development now the only pertinent issue left to be considered for the purpose of disposal of the present reference is whether on the basis of materials brought on record or the evidence led on behalf of the respective sides, the aforesaid action of the management can be held to be justified or not.

6. Both sides have led their evidence on merit. Three witnesses were examined from the side of the management and one on behalf of the workman. Besides leading oral evidence the management has filed and exhibited few documents which are Exts. M-1 to M-9 and which are mainly the chargesheet, reply to the said chargesheet, proceedings of the enquiry, report of the enquiry and the order of dismissal.

7. By highlighting or pointing out certain inconsistencies or contradictions in the statements of the

management's witnesses recorded during the enquiry as well as before this Tribunal it has been forcefully contended that the management has miserably failed to establish its case regarding involvement of the concerned workman in the alleged incident and so in view of such weak nature of evidence led on behalf of the management, the extreme punishment of dismissal inflicted upon the concerned workman can only be held to be bad, illegal and unwarranted. The inconsistencies upon which much stress has been made are as hereunder :

MW-2, the said Gour, has stated during his evidence that the concerned workman was holding a Danda and he repeatedly insisted to come out of the office. He further stated that the concerned workman wanted to hit him with Danda but as he caught hold of the same, he could not hit him. He has also stated that other workmen were led by the concerned workman and it was he who instigated others upon which one Jogeshwar Paswan threw stone upon him as a result of which he sustained injury on his head. Further he stated that the concerned workman pushed chair and table on him which resulted in left knee injury caused to him. However, during enquiry proceeding though this witness seems to have stated about the attempt made to assault him by Danda but has not made any statement about the instigation given by the concerned workman to others. He has also not stated about the pushing of table and chair, rather has said that the concerned workman forcefully pushed him due to which he fell down and sustained injury on left knee.

MW-3, S. K. Bhattacharjee, who was present in the office of Sri D. P. Gour (MW-2) at the time when alleged incident had taken place, has stated in his evidence before this Tribunal that the concerned workman and others started shouting and they were holding sticks and danda. As regards the concerned workman he has said that he was holding a Danda. He has also said that there was 'Halla' and there was also push as a result of which Sri Gour fell down and received injury on his leg. He further stated that Jogeshwar Paswan had hit Sri Gour by stone. In his cross-examination he has stated that there was "Dhakka Dhukki" in the office. He did not give the reply when he was being asked whether during enquiry he had stated or not about the Danda or Putus Jharria being possessed by the members of the mob.

During enquiry also he stated about the 'Dhakka Dhukki' which took place in the office and then stated that due to that reason Sri Gour fell down and sustained injury in his leg. He has also said that one person had hurled stone upon him which caused head injury. In course of his cross-examination he stated that Danda was of Putus Jhari and the concerned workman was holding a stick in his hand which was a Jhari type Danda. He also made it clear when he was being questioned that he had not seen the concerned workman assaulting and has said that the concerned workman was shouting. This witness, as such, neither during his evidence before this Tribunal or before the enquiry stated anything about the assault being made or the attempt being made by the concerned workman to assault the said Gour and

regarding his pushing Sri Gour and resulting the left knee injury.

8. As it is obvious, certainly there are few inconsistency in the statements of the management's afore-said two witnesses and it stands not established that the concerned workman, in fact, had assaulted the concerned authority (MW-2) or had made attempt to assault him or had pushed him down, in course of the incident or occurrence that took place in the office of the said authority, but the fact remains that consistently it has come during evidence that the concerned workman was also the member of the mob which had gathered in the office of the said authority and they all were shouting and raising slogan against him. It is also clear that the concerned workman during the incident was holding a Danda or Stick in his hand and that in the said office scuffle or dhukki dhukki took place as a result of which the concerned workman fell down and sustained injury on his left knee and then in the meantime one another member of the said mob, Jogeshwar Paswan hurled stone upon the said authority which hit him on his head and caused injury. Therefore, even if it stands not proved that the concerned workman either assaulted or made attempt to assault the said authority, his complicity and active involvement in the whole episode is writ large and the conduct exhibited by him was certainly subversive of discipline and cannot be conveniently ignored.

It cannot be said as such that there was no any misconduct on the part of the concerned workman as alleged or the same does not stand proved or established.

9. If we talk about the inconsistency then quite apparently there are glaring inconsistencies in the statement of the workman also recorded at different stages which are difficult to be over-looked or ignored. Some are mentioned as below :

In his evidence as WW-1 the concerned workman has simply denied the allegation as levelled against him and has not made any statement giving the details about his presence during the incident or about anything done by him in course of that. Further, during the enquiry he appears to have made the statement that he had gone to the office of the concerned authority along with others and those persons were shouting. According to him, thereafter he went to the police station and informed about the tense situation whereafter he was asked by the police officer to go back and they would be taking appropriate action. Thereafter according to him, he came back to the office of the said official again and he was called and threatened by the officials present there, for his visiting police station and they said that he would be suspended for that. Further, according to him, he thereafter returned from the office and went to the police station again and submitted a complaint against those officials who had threatened him. During his cross-examination he specifically stated that at the time when the occurrence took place he was not present in the office.

In his reply to the chargesheet, however, the statements are different. He has not stated that he had gone to the office along with others, rather has said that the people had already resembled at the office

of the said official and they were making protest against irregular or erratic supply of water to them and then according to him one Jagdish Singh asked him to accompany him to that place for pacifying the matter and then they both went to that place and pacified the agitating crowd. In the entire reply there is no mention about any visit to the police station or about any threatening given to him by the officials of the management.

During his evidence before this Tribunal the concerned workman has said that after he replied to the charge-sheet the officers of the colliery called him in a room where all the officers were sitting and they interrogated him thereafter and then on the next date again he was called to make signature.

Interestingly, there is no any such statement made by the workman during enquiry.

10. There no such ground taken in the written statement or any statement made to that effect but in course of the argument it has been urged on behalf of the workman that the alleged incident had not taken place within the premises or precinct of the work place of the concerned workman and as such he cannot be dealt with for any misconduct as specified in the certified standing orders and at the highest he could have been dealt with under general law of the land. In support of this contention a decision of Hon'ble Supreme Court reported in 1983 Lab. I.C. 1909 has been cited.

It is not disputed that Sendra Auto Workshop where the concerned workman was working and Nichitpur colliery where the occurrence took place are in the same area being called Sijua Area of M/s. BCCL and the quarter allotted to the concerned workman is situated at Nichitpur itself. So, it cannot be said that misconduct was done at a place which was beyond the control of the management or with which the employer of the workman concerned had absolutely nothing to do or which in no way was connected with the management and functioning of the workman. If there are two establishments in the same area being owned and controlled by the same employer and if the workman engaged in one establishment commits some misconduct in the premises of another establishment then in such event it is highly unfair and unreasonable to suggest that the employer's hands are tied and they cannot take any disciplinary action against the said workman simply due to the reason that the misconduct was not done within the premises of that establishment where the workman was engaged. If the conduct of an employee is prejudicial to the interest of the management or the employer and the same has direct bearing or effect upon the smooth functioning and the maintenance of discipline amongst the workmen of the management, then it is well within the power of the employer to initiate disciplinary action against an employee irrespective of the actual place of his working. The aforesaid decision of Hon'ble Supreme Court cited on behalf of the concerned workman is quite distinguishable on facts. In this context I consider it apt to refer to a decision of Hon'ble Supreme Court reported in (1975)-I.L.L.J. 391(SC). In the facts of that case the delinquent workman was dismissed from service for assaulting his superior officer in the train on his way from factory to his house

after day's work. On behalf of the workman it was contended before the Hon'ble Supreme Court that the alleged assault having taken place in the train which was obviously outside the premises or precinct of the establishment was not covered by the relevant Standing Orders. The Hon'ble Supreme Court held that on a plain reading the expression "within the premises or precincts of the establishment" refers not to the place where the act or subversive of discipline or good behaviour is committed but where the consequence of such an act manifests itself and in other words, the act wherever committed, if it has the effect of subverting discipline or good behaviour within the precinct of the establishment, will amount to misconduct. In the instant case, true it is, that the misconduct was committed not at the place where the concerned workman was working but it had the effect of subverting discipline or good behaviour within the precinct of the establishment.

11. It has also been urged that the authority who issued or passed the order of dismissal was not the competent authority and as such the action taken by the management becomes bad and illegal. Ext. M-6 is the letter or the order of dismissal. The same is under the signature of Area Manager (Transport), Sendra Auto Workshop and it is clearly incorporated therein that the order is being passed only after obtaining the approval from the competent authority. On the last page of the enquiry report also there appears to be the endorsements made by different authorities, such as, C.G.M., Dy. C.P.M. and A.P.M. recommending the punishment of dismissal against the concerned workman. It has not been specified by citing the relevant certified standing orders as to how and in what manner any irregularity or illegality was caused in the aforesaid regard which could vitiate the proceeding against the concerned workman. As such, there appears to be no force in the aforesaid contention.

12. It has been urged on behalf of the workman that the extreme punishment of dismissal of the concerned workman from his service as awarded against him is too harsh and quite disproportionate to the gravity of the charges as alleged. Considering all that has been observed above, certainly there is some force in the aforesaid submission raised. It has already been found above, upon scrutiny of the materials on record that neither the concerned workman assaulted the said official of the management nor he made an attempt in that regard, but at the same time whatever conduct or behaviour that was exhibited or shown by him during the said incident was certainly subversive of discipline and was prejudicial to the interest of the management and the workman at large and also to the healthy working atmosphere within the establishment. The charge-sheet speaks about the assault and attempt to assault also which stands not proved and so the punishment should be proportionate to that much which has been found to be established against the concerned workman. The extreme punishment of dismissal, in the circumstances of this case, is certainly undesirable, particularly when no instance has been cited to show that earlier to the present incident also there had been any misconduct on the part of the concerned workman for which he was dealt with. It would be appropriate to give the concerned workman a chance

to mend his ways and tread on a right path. In my view, as such, the ends of justice would be met if the punishment as awarded is modified to the extent of denial of back wages to the concerned workman upon his reinstatement.

Thus, in view of all the aforesaid it is finally concluded that the concerned workman deserves reinstatement but without back wages.

13. The award is, thus, made hereunder :—

The action of the management of Sendra Auto Workshop in terminating the services of the concerned workman, Bishwanath Kumar, Driver, w.e.f. 22-4-1991 is not justified, and the concerned workman deserves to be reinstated but without back wages. Consequently, the management is directed to reinstate the concerned workman without back wages within sixty days from the date of publication of this award.

However, in the circumstances of the case there would be no order as to cost.

S. H. KAZMI, Presiding Officer.

नई दिल्ली, 28 जनवरी, 2003

का.आ. 645.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अन्तर्गण में, केन्द्रीय सरकार एअर इण्डिया के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चेन्नई के पंचाट (संदर्भ संख्या 691/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं. एल-11012/134/98-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S.O. 645.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 691/2001) of the Central Government Industrial Tribunal, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Air India and their workman, which was received by the Central Government on 24-1-2003.

[No. L-11012/134/98-IR(C-1)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

BEFORE THE CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Thursday, the 12th December, 2002

Present : K. Karthikeyan, Presiding Officer

INDUSTRIAL DISPUTE NO. 691/2001

(Tamil Nadu Principal Labour Court CGID No. 329/99)

[In the matter of the dispute for adjudication under clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workman Sri P. Panchalaiah and the Management of M/s. Air India Ltd.]

#### BETWEEN

Sri P. Panchalaiah : I Party/Workman

#### AND

The Senior Regional Manager,  
Air India, Chennai, : II Party/Management

#### APPEARANCE :

For the Workman : M/s. V. Prakash.

T. Ramkumar,

Sonia & K. Saravanan,  
Advocates.

For the Management : M/s. Ramasubra-

maniam & Associates,  
Advocates

The Govt. of India, Ministry of Labour in exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947), have referred the concerned industrial dispute for adjudication vide Order No. L-11012/134/98/IR(C-1) dated 10-05-99.

This reference has been made earlier to the Tamil Nadu Principal Labour Court, Chennai, where the same was taken on file as CGID No. 329/99. When the matter was pending enquiry in that Principal Labour Court, the Government of India, Ministry of Labour was pleased to order transfer of this case also from the file of Tamil Nadu Principal Labour Court to this Tribunal for adjudication. On receipt of records from that Tamil Nadu Principal Labour Court, this case has been taken on file as I.D. No. 691/2001 and notices were sent to the counsel on record on either side, informing them about the transfer of this case to this Tribunal, with a direction to appear before this Tribunal on 29-10-2001 with their respective parties and to prosecute this case further. Accordingly, the learned counsel on either side along with their respective parties have appeared and prosecuted this case further. The Claim Statement and Counter Statement of either side were filed earlier before the Tamil Nadu Principal Labour Court, Chennai, when the matter was pending there for adjudication.

Upon perusing the Claim Statement, Counter Statement, the other material papers on record and this matter having stood over till this date for consideration, this Tribunal has passed on merits, the following:—

#### AWARD

The Industrial Dispute referred to in the above order of reference by the Central Govt. for adjudication by this Tribunal is as follows:—

“Whether the action of the management of Air India, Chennai, in terminating the services of Shri P. Penchalaiah w.e.f. 1987 is justified? If not, to what relief the workman is entitled?”

2. The averments in the Claim Statement of the I Party/workman Sri P. Penchalaiah (hereinafter refers to as Petitioner) are briefly as follows:—

The Petitioner was employed by the II Party/Management Air India, Chennai at Madras Airport in flight handling unit to work in different aspects of handling baggage from checking counter till loading in the flight and similarly after loading of the flight till the baggage set on the conveyor belt to be picked by disembarkment passengers. He was also made to do the job of handling cargo. The Petitioner was employed continuously for two years from 1985 to 1987. The Petitioner was paid wages of Rs. 32 as a daily wage apart from over time allowances. The Petitioner having been treated as daily rated employee was terminated from service in the year 1987 so as to deny him permanency and to induct in his place fresh employees. After completion of more than 480 days in two continuous calendar years, he was not permitted to work further even though the work was available for his continuous employment. With a view to deny the benefits that would accrue to him, even though he had worked for more than 480 days in two continuous years, the Respondent with a view to avoid giving him the benefits of continuous employment was only terminated him from service in the year 1987. In order to prevent continuous service and claim for permanency, the Respondent/Management resorted to the unfair labour practice by terminating him from service even though, he completed 480 days in a calendar year without giving him notice under law to evade the protection offered by the Industrial Disputes Act and Tamil Nadu Industrial Establishment (Conferment of permanent Status to Workmen) Act. Such termination of the Petitioner/Workman is retrenchment without the meaning of Section

2(00) of the Industrial Disputes Act. Prior to the termination of service of the Petitioner, the mandatory conditions precedent laid under Section 25N and 25F of the Industrial Disputes Act have not been followed by the Respondent/Management. The Hon'ble Industrial Tribunal directed framing of a scheme and as such the Petitioner is entitled to the benefit of the scheme on the basis of his seniority and length of service and on the basis of 'last come first go'. At the time of termination of his service, he was paid only Rs. 32 per day as wages. The permanent employees of the Respondent in the last grade were paid Rs. 2350 per month. Therefore, it is prayed that this Hon'ble Court may be pleased to direct the Respondent/Management to reinstate the Petitioner and regularise and absorb him in service of the Respondent/Management and pay him all past benefits as was paid to the permanent workmen with all other consequent benefits including seniority, back wages etc.

3. The averments in the Counter Statement filed by the II Party/Management, Air India, Chennai, (hereinafter refers to as Respondent) are briefly as follows:—

The Petitioner was indeed engaged as a casual employee by the management. This petition ought to be dismissed in limine on the ground of unexplained laches and delay. The Petitioner has raised this dispute after a delay of almost 13 years. The Petitioner has not given any reasons or justification for approaching this Hon'ble Court after a lapse of nearly 13 years. The nature of work in which the Petitioner was engaged was purely casual and related to the upliftment of cargo, which is purely temporary in nature. The casual engagement of the Petitioner was on day to day basis and the same comes to an end at the end of that particular day. Depending upon the need for particular number of casual workmen, the Respondent used to engage casual workman for the day in question depending upon the availability of work. Some days, a few casual workmen may be required and on some other days more number of casual workmen would be required for work. The casual employees are under no obligation to report for work every day nor is there any obligation or compulsion on the management to take the casuals every day for work. The cargo being highly perishable in nature casuals are engaged on day to day basis, depending upon the requirement to uplift the cargo of Air India as well as the cargo of other foreign carriers with whom Respondent/Management has bilateral contracts

for specific periods, which are terminable on short notice, for handling such Carrier's flights. The work generated in the above manner being transitory and dependent upon the frequency of the operations of the foreign carriers with whom the Respondent/Management has written contracts, casuals are engaged for the above mentioned jobs. As and when the regular employees of the Respondent/Management remain absent from work, casual labourers are engaged during the period of absenteeism by the regular employees. In certain cases, where there is additional seasonal work in the nature of shipment of perishable or seasonal cargo and shipment of which cannot be delayed, casual labourers are engaged. The Petitioner was engaged on a casual basis between various dates in the years 1985 and 1986. The number of days on which the Petitioner worked on a casual basis totals to about 133 days as 9 days in April, 19 days in May, 9 days in June, 16 days in July, 7 days in August, 12 days in September, 11 days in October, 15 days in November and 14 days in December, 1985 and 11 days in April, 4 days in May and 6 days in June, 1986. The Petitioner cannot claim any regularisation as a matter of right. Further Section 2(oo) of Industrial Disputes Act, 1947 would not be attracted to the case of the Petitioner. The case of the Petitioner falls within the purview of Section 2 (oo) (bb). The Petitioner being engaged merely on a casual basis, his contract of employment ceases at the end of the day. The Respondent/Management has not resorted to any unfair labour practice much less violation of Section 25N and 25F of Industrial Disputes Act. Furthermore, the Tamil Nadu Act has no application to Air India, which governed by Central Rules. The Petitioner being employed on a casual basis, there has been no termination of his service with his employment coming to an end at the end of each day. The Petitioner is put to strict proof of the averment that he had worked for more than 480 days in two continuous calendar years. The Petitioner is not entitled to any regularisation much less a permanent job in the Respondent/Management. The very fact that the Petitioner has approached this Hon'ble Court after a lapse of 13 years shows that he had been obviously employed elsewhere. The Petitioner cannot compare himself with the permanent employees of the Respondent. There is ban on recruitment and total freeze on recruitment and the Respondent has been directed by the Ministry of Civil Aviation that no fresh recruitment ought to be made and also to abolish the existing vacancies. The work load for which the casual employees are engaged

being highly fluctuating, it is not possible for this Respondent/Management to deploy at all times permanent staff, which might be sufficient to cater to the temporary needs but would otherwise be surplus and at the same time, this inherently fluctuating work load and demands cannot be eliminated, as it is beyond the control of the Respondent/Management. The Respondent is governed by the orders/Presidential directives with regard to reservations for SC/ST in the matters of recruitment or engagement of employees. Further, it is mandatory for Air India to do such recruitment necessarily through Employment Exchange. The respondent is also to comply with reservations for ex-servicemen and physically handicapped persons. As of now, there are several persons who have been sponsored by Employment Exchange and are wait listed awaiting employment in the Respondent Corporation. Therefore, it is prayed that this Hon'ble Court may be pleased to dismiss the petition.

4. When the matter was taken up for enquiry, no one has been examined as a witness on either side. No document has been filed as an exhibit on either side. Though the case was adjourned to various dates for enquiry and posted to 11-11-2002 as last chance for enquiry, none of the parties and their respective counsels were present and there was no representation at all on either side. Though the matter is pending for adjudication before this Tribunal ever since 01-10-2001, no progress has been made in this case. Since none of the party evinces interest to prosecute this case before this Tribunal in spite of the fact that various opportunities were afforded to them and the case was posted finally for enquiry on 11-11-2002, orders have been reserved to decide this dispute on merits with the available records and materials.

5. The point for my consideration is—

“Whether the action of the management of Air India, Chennai, in terminating the services of Shri P. Panchalaiah w.e.f. 1987 is justified? If not,, to what relief the workman is entitled?”

Point :—

It is a specific averment of the Petitioner in his Claim Statement that from 1985 to 1987 he was engaged continuously for two years and was paid wages of Rs. 32/- as daily wages apart from over time wages. It is his further contention that after completion of more than 480 days in two continuous calendar years, he was not Permitted to work, further, even though the work



was available for his continuous employment. The Respondent/Management in their Counter Statement has admitted that the Petitioner was engaged on casual basis between the various dates in the years of 1985 and 1986 and the Petitioner had worked on casual basis for a total period of 133 days in those two years. It is further alleged in the Counter Statement that the averment of the Petitioner that he had completed more than 480 days in two calendar years is false and incorrect and that the averment that he had been terminated from service want only by the Respondent/Management is also false. Under such circumstances, it is for the Petitioner to come forward to prove his case that he had worked for more than 480 days continuously in two years from 1985 to 1987. The Petitioner has not chosen to let in any oral or documentary evidence to substantiate his stand that he had worked continuously for a period of 480 days in a consecutive two years from 1985 to 1987. Further, he has not stated any reason in his Claim Statement as to why there is a delay of 13 years in raising this dispute after his alleged termination of service in the year 1987. It is not the averment of the Petitioner in his Claim Statement that any appointment order or termination order was issued to him by the Respondent/Management, when he was engaged and disengaged in from service by the Respondent/Management. He himself has admitted that he was paid daily wages of Rs. 32/- and it is not his case that he was employed as a permanent employee by the Respondent/Management. In the absence of any evidence both oral and documentary on the side of the Petitioner to prove his allegations made in the Claim Statement for the relief he has prayed for, it can be said that the Petitioner has not discharged his burden when especially his averments had been specifically denied by the the Respondent/Management in their Counter Statement. Further, even as per the averment in the Claim Statement, the Petitioner was disengaged from service from 1987 but he has raised this claim belatedly after 13 years without giving any reason for the delay. So, it amounts to a stale claim, which cannot be considered at all, as it is avorred in the Counter Statement of the Respondent/Management. Under such circumstances, for want of proof of the claim made by the Petitioner in his Claim Statement, it can be concluded that the Petitioner is not entitled for any relief much less the relief prayed for in his Claim Statement. Further, as it is contended by the Respondent/Management in their Counter Statement, there is no question of termination of the services by the Respondent/Management

in the year 1987. Hence, under such circumstances, it can be held that the Respondent/Management Air India, Chennai, has not terminated the services of the Petitioner. Hence, the Petitioner cannot claim reinstatement in service with all the attendant benefits and the concerned workman is not entitled for any relief. Thus, the point is answered accordingly.

6. In the result, an Award is passed holding that the concerned workman Sri P. Panchalaiah is not entitled for any relief. No Cost.

(Dictated to the Stenographer, transcribed and typed by him corrected and pronounced by me in the open court on this day the 12th December, 2002).

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined :

On either side None

Documents Exhibited :

On either side Nil

नई दिल्ली, 28 जनवरी, 2003

का.आ. 646.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में केन्द्रीय सरकार सी. सी. एल. के प्रबंधन के संबंध में निरीक्षण और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II धनबाद के पंचाट (संदर्भ संख्या 219/87) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं.एल.-24012/206/86-डी-IV (बी) आई.आर.(सी-I)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S.O. 646:—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 219/87) of the Central Government Industrial Tribunal II Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CCL, and their workman, which was received by the Central Government on 24-1-2003.

[No. L-24012/206/86-D-IV (B) IR (C-1)]

S. S. GUPTA, Under Secy.

ANNEXUER

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO.2) AT DHANBAD PRESENT :

Shri B. Biswas,  
Presiding Officer.

In the matter of an Industrial Dispute under Section 10 (1) (d) of the I.D. Act, 1947

REFERENCE No. 219 OF 1987

**PARTIES :** Employers in relation to the Management of Govindpur Project of Central Coal Fields Ltd. and their workman.

**APPEARANCES :**

On behalf of the Workman : Shri k. Chakraverty, Advocate.

On behalf of the : Shri D. K. Verma, Employers Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 31st December, 2002.

### AWARD

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I. D. Act, 1947 has referred the following disputes to this Tribunal for adjudication vide their Order No. L-24012 (206)/86-D.IV(B) dated, the 22nd July, 1987.

### SCHEDULE

“Whether the action of the management of Govindpur Project of CCL P.O. Bokaro Thermal, Distt. Giridih—

(i) In changing the service conditions of the workers regarding working hours from 10 A.M. to 5 A.M. without complying with the provision of Section 9A of the I.D. Act, 1947.

(ii) In not paying  $1\frac{1}{2}$  hours per day over time wages to the staff working in the office is legal and justified? If not, to what relief the workmen concerned are entitled?”

2. The case of the concerned workmen according to the W. S. submitted by the sponsoring union on their behalf in brief is as follows:—

The sponsoring Union submitted that the working hours of the office of the Project Officer Govindpur Project was  $6\frac{1}{2}$  hours from Monday to Friday and on Saturday  $3\frac{1}{2}$  hours vide office order No. PO/GP/PA/11/85/2627 dt. 23/27-11-85. They submitted that the management on all of a sudden changed the working hours of the General office of Govindpur Project as 8.30 A.M. to 5.30 P.M. with lunch break of one hour. It means that the office hour

which was  $6\frac{1}{2}$  from Monday to Friday and  $3\frac{1}{2}$  hours on Saturday was changed and working hours was increased to 8 hours per day. They disclosed that the change of working hour is a change of service condition and this attracts section 9A of the I. D. Act, 1947. But the management changed the service condition of the employees working in the General Office in violation of Section 9A of the I. D. Act, 1947. Accordingly, they raised their complaint before the LEO (C) Bermo on 5-5-86 and also to the management and protested against the change of service condition of the employees working in the General Office of Govindpur Project. The LEO (C) Bermo after hearing the parties advised them to raise an industrial dispute before the ALC (C) Hazaribagh for conciliation. Accordingly the sponsoring union raised an industrial dispute before the ALC (C) Hazaribagh on 23-6-86 which ultimately resulted reference to this Tribunal for award. They submitted that as a result of change of working hours they are to perform duties  $1\frac{1}{2}$  hours extra for which they are entitled to get as O. T. wages.

3. The management on the contrary after filing W. S.-cum-rejoinder have denied all the claims and allegation which the sponsoring union asserted in the W. S. on behalf of the concerned workman. They submitted that the Govindpur Project is one of the new Project of CCL opened towards the end of 1983. At the initial stage incline driving work was taken up and thereafter work relating to development was undertaken. Such work takes a very long time and this was so in the present case also. Actually mining operation and production was started much later. They further disclosed that the said Govindpur Project is a coal mines and it is governed by the Mines Act, Mines Regulation and C.M.R. The payment of wages Act and Payment of wages Mines Rules are also applicable to this Project. This Mines has been running in three shifts the operation of which is 8 hours each in a day and which runs around the clock while the Sunday is a weekly rest day. The Model Standing Order applicable for establishment in Coal Mines are also applicable to this Project. In the mines of NCDC and in the office of the Area General Manager the working hours for clerical staff in office was  $6\frac{1}{2}$  hours per day from Monday to Friday and  $3\frac{1}{2}$  hours on Saturday. For other workers, however, working hours were 8 hours per day for 6 days in a week with Sunday as weekly rest day. Even after Notionalisation of collieries this system



was continued. Some new area offices for Area General Manager were established after the nationalisation of the Coal Mines and in these offices also the same working hours are existing for clerical office staff.

4. Mines Act lays down that working hours of the worker employed in the Mines are eight hours per day and there is provision of payment of O.T. allowance under Section 33 thereof for payment of O.T. allowance in the case of workers in the under ground for the work done in excess of 8 hours per day and in the case of workers on surface for work done beyond 9 hours per day or 48 hours per week whichever is less. While prior to 1-12-85 working hours for clerical office staff were 8 hours per day and 48 hours per week excluding rest intervals. The then Project Officer due to mistake and without any authority changed the working hours to 6½ hours per day from Monday to Friday and 3½ hours on Saturday. Such action was against the policy of the company and the instruction of the head office. This was a clear mistake on the part of the then Project Officer and when it came to the notice of the Area Manager the Project Officer was directed to rectify the mistake which he did by restoring 8 hours working per day for office and also from Monday to Saturday by office order issued on 30-4-1986. Thus for about five months General Office Staff enjoyed reduced working hours due to aforesaid mistake. But it is wrong to say that thereby their service conditions were determined in regard to the working hours based on the mistake in question. They submitted that such a decision to reduce working hours of the colliery office staff could be taken only by the CMD of the company and none else. Therefore, it is wrong to say that the workers concerned working in the general office were given any right in regard to reduction in the working hours or that for restoring eight hours per day any notice under Section 9A of the I. D. Act is required. They submitted that it is a matter of settled law that when the management makes a mistake it is entitled to rectify the same. They disclosed that the service condition of the workers of the general office of Govindpur Project are that they are liable to work for 8 hours from Monday to Saturday in each week or 48 hours in each week. They disclosed that the action taken by the management in fixing the hours of work of the office staff in question as eight hours per day from Monday to Saturday and in not paying them O. T. wages for 1½ hours per day is perfectly legal and justified.

They disclosed that there was no service condition of the workers concerned as referred to in the reference order and that the provision of Section 9A of the I. D. Act, is not at all attracted in the present case. Accordingly they submitted that the concerned workmen are not entitled to get any relief in support of their claim.

5. The points to be decided in this reference are :

“Whether the action of the Management of Govindpur Project of CCL P. O. Bokaro Thermal, Dist. Giridih—

- (i) in changing the service conditions of the workers regarding working hours from 10 A.M. to 5 P.M. without complying with the provisions of Sec. 9A of the I. D. Act, 1947;
- (ii) in not paying 1-1/2 hours per day over time wages to the staff working in the office is legal and justified? If not, to what relief the workman concerned are entitled?”

#### 6. FINDING WITH REASONS

It is seen that the management in order to substantiate their claim have examined one witness. On the contrary on behalf of the workmen the sponsoring union also examined one witness also in support of their claim. By the instant reference the sponsoring union raised the dispute that the management without giving any notice under Section 9A of the Industrial disputes Act have changed the working hours of the concerned workmen and thereby infringed the right which they accrued as per service condition and consequently the management denied to pay 1½ hours per day O. T. wages to the workman in the office due to enhancement of the working hours violating the service condition. Therefore, in the instant case the point which is to be decided is that whether the management committed any illegality by enhancing the working hours without issuing notice under Section 9A of the I. D. Act, 1947 and also if for that reason the workmen are entitled to get O. T. for 1½ hours per day wages for the period in question. It is the contention of the sponsoring union that the management vide order of the the Project Officer dated 23/27-11-85 working hours of the office staff of Govindpur Project as 6½ hours from Monday to Friday and 3½ hours on Saturday. Thereafter the same management by passing another order changed the working hours of the General Office of the said Project from

8.30 A.M. to 5.30 P.M. with one hour lunch break. They disclosed that as a result the workmen of the said project had been compelled to work extra  $1\frac{1}{2}$  hours during the whole week. They alleged that such change of working hours was infringement to their service condition, and the management changed their service condition without giving any notice under Section 9A of the I.D. Act, 1947 which is a mandatory one. Accordingly they have claimed O.T. for the said period. On the contrary from the submission of the management I find another picture. They disclosed that the Project itself is controlled by the CCL. As per Model S.O. as well as in the Mines Act and Rules the working hours of the Office of the said project is for 48 hours in a week or 8 hours per day for 6 days in a week with one day rest. They disclosed that the Project Officer due to mistake issued an order which the sponsoring union relied on. According to the said order the working hours was reduced from 8 hours to  $6\frac{1}{2}$  hours per day from Monday to Friday and  $3\frac{1}{2}$  hours on Saturday including lunch break. They disclosed that as the said order was passed by the Project Officer out of mistake soon the said mistake came to the knowledge of the Area management and the area management directed the Project Officer to recall the said order and to take appropriate action in the matter. Accordingly by a separate order the earlier order which was issued by the Project Officer was modified. They disclosed that as a result of modification of the previous order of the Project Officer there is no reason believe that service condition of the workmen in the office of Govindpur Project were changed and accordingly there was no reason at all to issue any notice under Section 9A of the I.D. Act. They further submitted that as per service condition the workmen in the office are liable to work for 48 hours in a week or 8 hours every day from Monday to Friday with one day rest. Accordingly there is no scope to say that the workmen concerned accrued any right for claiming O.T. wages for running from  $1\frac{1}{2}$  hours service per day from the day of the previous order till the day when it was modified. It is seen from the submission of both sides that Govindpur Project initially was opened in the year 1983 and thereafter it started operation in excavating coal from the Mine. The management in course of hearing relying on the circular Bearing No. PD/Paid Holidays/71/Part-I/56 dt. 11-3-1980 marked as Ext. M-1 submitted that the working hours of the office establishment under control of the CCL was eight hours per day with duration for 6 days a week. Relying on this circular learned Advocate for the management submitted that the instruction given therein relating to working hours of the office establishment and other section are equally applicable to the Project Office of the Govindpur Area, and the workmen attached to the

Project office are liable to be guided by this circular. Learned Advocate further submitted that when Govindpur Project started in operation this circular was very much binding on the workmen of the office of that project and it should be considered as service condition. It is seen that thereafter on 23/27-11-85 the Project Officer vide office order changed the working hours from 8 hours to  $6\frac{1}{2}$  hours with  $1\frac{1}{2}$  hour recess. He fixed the working hours as 8 A.M. to 5 P.M. with  $\frac{1}{2}$  hours recess from Monday to Friday and 10.00 A.M. to 1.30 P.M. on Saturday. Thereafter vide office order dt. 30-4-86 the Project Officer refixed the office hours as 8.30 A.M. to 5.30 P.M. from Monday to Saturday with lunch break for one hour from 1.00 P.M. to 2.00 P.M. It is seen that within 5 months of the first order marked as Ext. M-1 the Project Officer changed the duty hours of the workers. It is the contention of the sponsoring union that by changing the working hours the management has changed their service condition without giving any notice under Section 9A of the I.D. Act. On the contrary learned Advocate for the management submitted that the plea taken by the sponsoring union had no basis at all. They disclosed that service conditions of a workman is fixed the moment joins the service. He submitted that the office of the Govindpur Project did not start with the issuance of the circular dt. 23/27-11-85 (M-2). But it was started long back and at that time the circular marked as Ext. M-1 was very much in operation. He submitted that the question of issuance of notice under Section 9A of the I.D. Act definitely would crop up if the circular Ext. M-1 issued by the head office was altered. But in the instant case there was no occasion to change that circular. The office order marked as Ext. M-1 was issued at the discretion of the Project Officer who is not to be considered as policy making authority. Disclosing this fact the learned Advocate submitted that the said Project Officer out of mistake issued that order and the moment it came to the notice of the head office/area management they directed the Project Officer to recall the said order and the Project Officer vide order marked as Ext. M-3 recalled the said order. Learned Advocate for the management submitted that if the question of issuance of notice comes as per Section 9A of the I.D. Act, in that case the Project Officer was also in obligation to issue notice under the same section when he issued the first order marked as Ext. M-2 changing the service condition relating to the duty hours of the workmen issued under circular dt. 11-3-80 marked as Ext. M-1. It is seen that the Project Officer violating the specific condition as laid down in the circular Ext. M-1 issued Office Order Ext. M-2 without obtaining any sanction from the competent authority.

It therefore speaks clearly that the Project Officer with some reasons best known to him exceeding his limit and jurisdiction passed that office order which however subsequently was recalled/modified by issuing subsequent order Ext. M-3. Section 9A speaks that no employer, who proposes to effect any change in the conditions of service applicable to any workman in respect of any matter specified in the Fourth Schedule, shall effect such change—

- (a) without giving to the workman likely to be affected by such change a notice in the prescribed manner of the nature of change proposed to be effected;

Section 2(g) of the I.D. Act has defined the employer. Employer means (1) in relation to an industry carried on by or under the authority of any department of (the Central Government or a State Government) the authority prescribed in this behalf, or where no authority is prescribed, the head of the department, (ii) in relation to an industry carried on by or on behalf of a local authority, the Chief Executive Officer of that authority. Therefore, the definition speaks clearly that the Head of the department or the authority prescribed by the Central Govt. or the State Government shall be considered as employer. The CCL has to be considered as the head of the department who controls all the collieries under its management. Accordingly the head of the department is the competent authority to fix up the service condition when a workman enters into service on getting his appointment. A Project Officer is controlled by the head of the department and is debarred from taking any policy decision in the matter of changing the service condition of any worker without proper approval from the head of the department. Therefore, here it is seen that the Project Officer exceeding his limitation passed the order in question which definitely cannot be supersede the circular relating to the service hours of the workman issued by the head of the department. Accordingly as the Project Officer in view of the facts and circumstances, cannot be considered as head of the department, there is no scope to say that Notice under Section 9 A of the I. D. Act was required to be issued when he modified the order in question vide office order marked as Ext. M-3. The service condition as per the circular marked as Ext. M-1 shows that the working hours of the office establishment and other section will be of 8 hours duration for 6 days a week and it is very much prevailing since long before issuance of office order issued by the Project Officer. Accordingly I should say that there was no need of issuance of any notice under section 9 A of the I. D. Act when office order marked as Ext. M-2 was

modified by office order marked as Ext. M-3. As per service condition as the workmen concerned are liable to work, for 8 hours duration for these days in a week in the said Project they are not equally entitled to claim any O.T. wages for 1-1/2 hours per day during the period in question. On the contrary there is sufficient scope to say that due to the fault of the Project Officer workmen of Govindpur Project Office worked less for 1-1/2 hour per day in between the period in question though their wages were not effected i.e. they got their wages working less number of hours per day. In view of the facts and circumstances discussed above I hold that the concerned workmen are not entitled to get any relief. In result the following Award is rendered :—

“The action of the Management of Govindpur Project of CCL P. O. Bokaro Thermal, Distt. Giridih—

- (i) in changing the service condition of the workers regarding working hours from 10 A. M. to 5 P. M. without complying with the provision of Section 9 A of the I. D. Act, 1947;
- (ii) in not paying 1-1/2 hours per day overtime wages to the staff working in the office is legal and justified. Consequently the concerned workmen are not entitled to get any relief.”

B. BISWAS, Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का. आ. 647.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधन के संद्व निरोधकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिनियम II, धनबाद के पंचाट (संदर्भ संख्या 4/99) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं.एल-20012/596/97-आई.आर. (सी-I)]

एन. एन. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S. O. 647.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 4/99) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 24-1-2003.

[No. L-20012/596/97-IR. (C-I)]

S. S. GUPTA, Under Secy.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL ( No. 2 ) AT  
DHANBAD

PRESENT :

Shri B Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10 (1) (d) of the I. D. Act, 1947.

REFERENCE No 4 OF 1999

PARTIES : Employers in relation to the management of Bastacolla Area of M/s. BCCL and their workman.

APPEARANCES :

On behalf of the workman : None.

On behalf of the employers : Shri D. K. Verma,  
Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 30th December, 2002.

## ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1) (d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/596/97-IR (C-I) dated, the Nil.

## SCHEDULE

"Whether the action of Addl. G. M. Bastacolla Area in issuing the charge sheet and dismissal order dt. 22-2-95 against Sri Nayab Singh, Punch Operator is justified ? If not, to what relief the workman is entitled to ?"

2. In this reference neither the concerned workman nor his representative appeared. Only the management side appeared through their learned Advocate before this Tribunal. It is seen from the record that the instant reference was received by this Tribunal on 11-1-99 and since then it is pending for disposal. Registered notices and show cause notices were issued to the workman side but inspite of the issuance of notices they failed to turn up. In terms of Rule 10B of the I. D. Central Rules, 1957 submission of W. S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry

for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W. S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W. S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the workman inspite of issuance of registered notices. As per I. D. Act the workman excepting under provisions of Section 2 A is debarred from raising any industrial dispute. The disputes are mainly raised by the Union for their workman. These unions inspite of receiving notices did not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Untill and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workmanside is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer.

नई दिल्ली, 28 जनवरी, 2003

का.आ. 648.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसार में केन्द्रीय सरकार एअर इण्डिया के प्रबंधन के संबंध विवादों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण केन्द्र के पंचाट (संदर्भ संख्या 692/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं. एल.-11012/132/98-आई. आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S. O. 648.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 692/2001) of the Central Government Industrial Tribunal, Chennai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Air India and their workman, which was received by the Central Government on 24-1-2003.

[No. L-11012/132/98-IR (C-1)]

S. S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHENNAI

Thursday the 12th December, 2002

PRESENT : K. Karthikeyan,  
Presiding Officer

INDUSTRIAL DISPUTE NO. 692/2001

(Tamil Nadu Principal Labour Court CGIT  
No. 330/99)

[In the matter of the dispute for adjudication under clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 (14 of 1947), between the Workman Sri. M. Raveendran and the Management of M/s. Air India Ltd.]

#### BETWEEN

Sri M. Raveendran : I Party/Workman

#### AND

The Senior Regional Manager, : II Party/Management  
Air India, Chennai.

#### APPEARANCE :

For the Workman : M/s. V. Prakash, T. Ram  
Kumar, Sonia & K.  
Saravanan, Advocates

For the Management : M/s. Ramasubramaniam  
& Associates, Advocates

The Govt. of India, Ministry of Labour in exercise of powers conferred by clause (d) of Sub-section (1) and Sub-section 2 (A) of Section 10 of Industrial Dispute Act, 1947 (14 of 1947), have referred the concerned industrial dispute for adjudication vide Order No. L-11012/132/98-IR (C-1) dated 10-05-99.

350 GI/2003—19

This reference has been made earlier to the Tamil Nadu Principal Labour Court, Chennai, where the same was taken on file as CGID No. 330/99. When the matter was pending enquiry in that Principal Labour Court, the Government of India, Ministry of Labour was placed to order transfer of this case also from the file of Tamil Nadu Principal Labour Court to this Tribunal for adjudication. On receipt of records from that Tamil Nadu Principal Labour Court, this case has been taken on file as I. D. No. 692/2001 and notices were sent to the counsel on record on either side, informing them about the transfer of this case to this Tribunal, with a direction to appear before this Tribunal on 29-10-2001 with their respective parties and to prosecute this case further. Accordingly, the learned counsel on either side along with their respective parties have appeared and prosecuted this case further. The Claim Statement and Counter Statement of either side were filed earlier before the Tamil Nadu Principal Labour Court, Chennai, when the matter was pending there for adjudication.

Upon perusing the Claim Statement, Counter Statement, the other material papers on record and this matter having stood over till this date for consideration, this Tribunal has passed on merits, the following :

#### AWARD

The Industrial Dispute referred to in the above order of reference by the Central Govt. for adjudication by this Tribunal is as follows :—

“Whether the action of the management of Air India, Chennai, in terminating the services of Shri M. Raveendran w.e.f. 1987 is justified ? If not justified to what relief the workman is entitled ?”

2. The averments in the Claim Statement of the I Party/workman Sri M. Raveendran (hereinafter refers to as Petitioner) are briefly as follows :—

The Petitioner was employed by the II Party/Management Air India, Chennai at Madras Airport in flight handling unit to work in different aspects of handling baggage from checking counter till loading in the flight and similarly after loading of the flight till the baggage set on the conveyor belt to be picked by disembarkment passengers. He was also made to do the job of handling cargo. The Petitioner was employed continuously for two years from 1985 to 1987. The Petitioner was paid wages of Rs. 32 as a daily wage apart from over time allowances. The Petitioner

having been treated as daily rated employee was terminated from service in the year 1987 so as to deny him permanency and to induct in his place fresh employees. After completion of more than 480 days in two continuous calendar years, he was not permitted to work further even though the work was available for his continuous employment. With a view to deny the benefits that would accrue to him, even though he had worked for more than 480 days in two continuous years, the Respondent with a view to avoid giving him the benefits of continuous employment want only terminated him from service in the year 1987. In order to prevent continuous service and claim for permanency, the Respondent/Management resorted to the unfair labour practice by terminating him from service even though, he completed 480 days in a calendar year without giving him notice under law to evade the protection offered by the Industrial Disputes Act and Tamil Nadu Industrial Establishment (Conferment of permanent Status to Workmen) Act. Such termination of the Petitioner/Workman is retrenchment without the meaning of Section 2 (OO) of the Industrial Disputes Act. Prior to the termination of service of the Petitioner, the mandatory conditions precedent laid under section 25N and 25F of the Industrial Disputes Act have not been followed by the Respondent/Management. The Hon'ble Industrial Tribunal directed framing of a scheme and as such the Petitioner is entitled to the benefit of the scheme on the basis of his seniority and length of service and on the basis of last come first go. At the time of termination of his service, he was paid only Rs. 32/- per day as wages. The permanent employees of the Respondent in the last grade were paid Rs. 2350/- per month. Therefore, it is prayed that this Hon'ble Court may be pleased to direct the Respondent/Management to reinstate the Petitioner and regularise and absorb him in service of the Respondent/Management and pay him all past benefits as was paid to the permanent workmen with all other consequent benefits including seniority, back wages etc.

3. The averments in the Counter Statement filed by the II Party/Management, Air India, Chennai, (hereinafter refers to as Respondent) are briefly as follows : -

The Petitioner was indeed engaged as a casual employee by the management. This petition ought to be dismissed in limine on the ground of unexplained laches and delay. The Petitioner has raised this dispute after a delay of almost 13 years. The Petitioner

has not given any reasons or justification for approaching this Hon'ble Court after a lapse of nearly 13 years. The nature of work in which the Petitioner was engaged was purely casual and related to the upliftment of cargo, which is purely temporary in nature. The casual engagement of the Petitioner was on day to day basis and the same comes to an end at the end of that particular day. Depending upon the need for particular number of casual workmen, the Respondent used to engage casual workman for the day in question depending upon the availability of work. Some days, a few casual workmen may be required and on some other days more number of casual workmen would be required for work. The casual employees are under no obligation to report for work every day nor is there any obligation or compulsion for the management to take the casualevery day for work. The cargo being highly perishable in nature casuale are engaged on day to day basis, depending upon the requirement to uplift the cargo of Air India as well as the cargo of other foreign carriers with whom Respondent/Management has bilateral contracts for specific period, which are terminable on short notice, for handling such carrier's flights. The work generated in the above manner being transitory and dependent upon the frequency of the operations of the foreign carriers with whom the Respondent/Management has written contracts, casuale are engaged for the above mentioned jobs. As and when the regular employees of the Respondent/Management remain absent from work, Casual Labourers are engaged during the period of absenteeism by the regular employees. In certain cases, where there is additional seasonal work in the nature of shipment of perishable or seasonal cargo and shipment of which cannot be delayed, casual labourers are engaged. The Petitioner was engaged on a casual basis between various dates in the year 1985 and 1986. The number of days on which the Petitioner worked on a casual basis totals to about 145 days as 14 days in July, 18 days in August, 15 days in September, 14 days in October, 13 days in November, and 17 days in December, 1985 and 10 days in January, 9 days in February, 11 days in April, 13 days in May and 11 days in June, 1986. The Petitioner cannot claim any regularisation as a matter of right. Further Section 2 (OO) of Industrial Disputes Act, 1947 would not be attracted to the case of the Petitioner. The case of the Petitioner falls within the purview of section 2 (OO) (bb). The Petitioner being engaged merely on a casual basis, his contract of employment ceases at the end of the day. The Respondent/Management has not resorted to any unfair labour practice much less violation of section 25N and 25F of Industrial Disputes Act. Furthermore, the Tamil Nadu Act has no application to Air India, which governed by Central Rules. The Petitioner being employed on a casual basis

there has been no termination of his service with his employment coming to an end at the end of each day. The Petitioner is put to strict proof of the averment that he had worked for more than 480 days in two continuous calendar years. The Petitioner is not entitled to any regularisation much less a permanent job in the Respondent/Management. The very fact that the Petitioner has approached this Hon'ble Court after a lapse of 13 years shows that he had been obviously employed elsewhere. The Petitioner cannot compare himself with the permanent employees of the Respondent. There is ban on recruitment and total freeze on recruitment and the Respondent has been directed by the Ministry of Civil Aviation that no fresh recruitment ought to be made and also to abolish the existing vacancies. The work load for which the casual employees are engaged being highly fluctuating, it is not possible for the Respondent/Management to deploy at all times permanent staff, which might be sufficient to cater to the temporary needs but would otherwise be surplus and at the same time, this inherently fluctuating work load and demands cannot be eliminated, as it is beyond the control of the Respondent/Management. The Respondent is governed by the orders/Presidential directives with regard to reservations for SC/ST in the matters of recruitment or engagement of employees. Further, it is mandatory for Air India to do such recruitment necessarily through Employment Exchange. The respondent is also to comply with reservations for ex-servicemen and physically handicapped persons. As of now, there are several persons who have been sponsored by Employment Exchange and are wait listed awaiting employment in the Respondent Corporation. Therefore, it is prayed that this Hon'ble Court may be pleased to dismiss the petition.

4. When the matter was taken up for enquiry, no one has been examined as a witness on either side. No document has been filed as an exhibit on either side. Though the case was adjourned to various dates for enquiry and posted to 11-11-2002 as last chance for enquiry, none of the parties and their respective counsels were present and there was no representation at all on either side. Though the matter is pending for adjudication before this Tribunal ever since 1-10-2001 no progress has been made in this case. Since none of the party evinces interest to prosecute this case before this Tribunal in spite of the fact that various opportunities were afforded to them and the case was posted finally for enquiry on 11-11-2002, hence orders have been reserved to decide this dispute on merits, with the available records and materials.

5. The Point for my consideration is;—

“Whether the action of the management of Air India, Chennai, in terminating the services

of Shri N. Raveendran w. e. f. 1987 is justified? If not justified, to what relief the workman is entitled?”

Point :

It is a specific averment of the Petitioner in his Claim Statement that from 1985 to 1987 he was engaged continuously for two years and was paid wages of Rs. 32/ as daily wages apart from over time wages. It is his further contention that after completion of more than 480 days in two continuous calendar years, he was not permitted to work further even though the work was available for his continuous employment. The Respondent/Management in their Counter Statement has admitted that the Petitioner was engaged on casual basis between the various dates in the years of 1985 and 1986 and the Petitioner had worked on casual basis for a total period of 145 days in those two years. It is further alleged in the Counter Statement that the averment of the Petitioner that he had completed more than 480 days in two calendar years is false and incorrect and that the averment that he had been terminated from service was only by the Respondent/Management is also false. Under such circumstances, it is for the Petitioner to come forward to prove his case that he had worked for more than 480 days continuously in two years from 1985 to 1987. The Petitioner has not chosen to let in any oral or documentary evidence to substantiate his stand that he had worked continuously for a period of 480 days in a consecutive two years from 1985 to 1987. Further, he has not stated any reason in his Claim Statement as to why there is a delay of 13 years in raising this dispute after his alleged termination of service in the year 1987. It is not the averment of the Petitioner in his Claim Statement that any appointment order or termination order was issued to him by the Respondent/Management, when he was engaged and disengaged in/from service by the Respondent/Management. He himself, has admitted that he was paid daily wages of Rs. 32 and it is not his case that he was employed as a permanent employee by the Respondent/Management. In the absence of any evidence both oral and documentary on the side of the Petitioner to prove his allegations made in the Claim Statement for the relief he has prayed for, it can be said that the Petitioner has not discharged his burden when especially his averments had been specifically denied by the Respondent/Management in their Counter Statement. Further, even as per the averment in the Claim Statement, the Petitioner was disengaged from service from 1987 but he has raised this claim belatedly after 13 years without giving any reason for the delay. So, it amounts to a stale claim which cannot be considered at all as it is averred in the Counter Statement of the Respondent/Management. Under



such circumstances, for want of proof of the claim made by the Petitioner in his Claim Statement, it can be concluded that the Petitioner is not entitled for any relief much less the relief prayed for in his Claim Statement. Further, as it is contended by the Respondent/Management in their Counter Statement, there is no question of termination of the services by the Respondent/Management in the year 1987. Hence, under such circumstances, it can be held that the Respondent/Management Air India, Chennai, has not terminated the services of the Petitioner. Hence, the Petitioner cannot claim reinstatement in service with all attendant benefits and the concerned workman is not entitled for any relief. Thus, the point is answered accordingly.

6. In the result, an Award is passed holding that the concerned workman Sri N. Raveendran is not entitled for any relief. No. Cost.

(Dictated to the Stenographer, transcribed and typed by him, corrected and pronounced by me in the open court on this day the 12th December, 2002.)

K. KARTHIKEYAN, Presiding Officer

Witnesses Examined :

On either side ; None

Documents Exhibited :

On either side ; Nil

नई दिल्ली, 28 जनवरी, 2003

का.आ. 649:— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसर्ण में, केन्द्रीय सरकार भा. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या 143/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था :

[स. एल.-20012/277/2000-आई. आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S.O. 649.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 143/2000) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 24-1-2003.

[No. L-20012/277/2000-IR(C-1)]

S. S. GUPTA, Under Secy.

## ANNEXURE

### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

PRESENT :

Shri B. Biswas,  
Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 143 OF 2000

PARTIES: Employers in relation to the management of M/s. B.C.C.L. and their workman.

APPEARANCES:

On behalf of the workman : None.

On behalf of the employers : None.

State : Jharkhand

Industry : Coal.

Dated, Dhanbad, the 30th December, 2002

## ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/277/2000 (C-1), dated the 25th October, 2000.

## SCHEDULE

“Whether the action of the management in not regularisation Shri Ramadhari Singh, as Asstt. Foreman is justified ? If not, to what relief is the concerned workman entitled and from what date?”

2. In this reference neither the concerned workman nor his representative appeared. The management side also abstained from appearing before this Tribunal. It is seen from the record that the instant reference was received by this Tribunal on 24-11-2000 and since then it is pending for disposal. Registered notices and show cause notices were issued to the workman side as well as management-side but inspite of the issuance of notices they failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court



to dispose of the reference in issue on merit. It view of the decision reported in 2002(94) FLR 624 it will not be just and proper to pass 'No dispute Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the workman inspite of issuance of registered notices. As per I.D. Act the workman excepting under provisions of Section 2A is debarred from raising any industrial dispute. The disputes are mainly raised by the Union for their workmen. These unions inspite of receiving notices did not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Until and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का.आ. 650 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा. को. को. लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में विनिर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या 186/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं. एल-20012/206/97-आई.आर. (सी-1)]

एस. एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S.O. 650 — In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947),

the Central Government hereby publishes the award (Ref. No. 186/98) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 24-1-2003.

[No. L-20012/206/97-IR (C-1)]

S. S. GUPTA, Under Secy.

## ANNEXURE

### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (NO. 2) AT DHANBAD

#### PRESENT:

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10 (b)(d) of the I. D. Act, 1947.

#### REFERENCE NO. 186 OF 1998

PARTIES : Employers in relation to the management of M/s. B.C.C.L. and their workman.

#### APPEARANCES :

On behalf of the workman : None.

On behalf of the employers : None.

State : Jharkhand Industry : Coal

Dated, Dhanbad, the 30th December, 2002

#### ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012/206/97-IR (C-1), dated the 27th August, 1998.

#### SCHEDULE

"Whether the action of the management of Sadanidhi Shaft Mine of M/s. BCCL in dismissing the service of Shri Nagendra Singh is justified? If not, to what relief the concerned workman is entitled?"

2. In this reference neither the concerned workman nor his representative appeared. The management side also abstained from appearing before this Tribunal. It is seen from the record that the instant reference was received by this Tribunal on 25-9-98 and since then it is pending

for disposal. Registered notices and show cause notices were issued to the workman side as well as to the management side but inspite of the issuance of notices they failed to turn up. In terms of Rule 10 B of the I. D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/Union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter sue moto with the expectations for appearance of the workman inspite of issuance of registered notices. As per I. D. Act the workmen excepting under provisions of Section 2A is debarred from raising any industrial disputes. The disputes are mainly raised by the Union for their workmen. These unions inspite of receiving notices did not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Untill and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the co-operation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinite period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का. आ. 651.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या 99/97) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं. एल-20012/14/96-आई.ग्रार. (सी-I)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S.O. 651:— In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 99/97) of the Central Government Industrial Tribunal II, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 24-1-2003.

[No. L-20012/14/96-IR(C-I)]

S.S. GUPTA, Under Secy.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL (No. 2) AT DHANBAD

#### PRESENT :

Shri B. Biswas, Presiding Officer.

In the matter of an Industrial Dispute under Section 10(1) (d) of the I.D. Act, 1947.

REFERENCE No. 99 OF 1997

PARTIES : Employers in relation to the management of C.V. Area of M/s. BCCL and their workman.

#### APPEARANCES :

On behalf of the Workman : None.

On behalf of the Employers : Shri B.M. Prasad, Advocate.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 30th December, 2002.

#### ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1) (d) of the I.D. Act, 1974 has

referred the following dispute to this Tribunal for adjudication vide thier Order No.L-20012/-14/96-IR(C-1), dated, the 9th September, 1997.

### SCHEDULE

“Whether the action of the management of C.V. Area of M/s. BCCL in not regulating the services of Smt. Sumitra Mallick and 40 others (List enclosed) in time rated job is justified ? If not, to what relief are these workmen entitled ?”

2. In this reference neither the concerned workman nor his representative appeared. The management side however, made their appearance through their learned advocate. It is seen from the record that the instant reference was received by this Tribunal on 8-10-97 and since then it is pending for disposal. Registered notices and show cause notices were issued to the workman/union but inspite of the issuance of notices they failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workmen within 15 days is a mandatory one. The concerned workmen not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workmen/union. Naturally responsibility rests with the concerned workmen/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass ‘No dispute’ Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter suo moto with the expectations for appearance of the workmen inspite of issuance of registered notices. As per I.D. Act the workmen excepting under provisions of Section 2A is debarred from raising any industrial disputes. The disputes are mainly raised by the Union for their workmen. These unions inspite of receiving notices did not care to appear before the Court for the interest of the workmen and

as a result they have been deprived of getting any justice. Untill and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is the duty of the court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinitely period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का.आ. 652.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भा.को.को.लि. के प्रबंधन के संबंध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण II, धनबाद के पंचाट (संदर्भ संख्या 158/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 24-1-2003 को प्राप्त हुआ था।

[सं. एल-20012/245/97-आई.आर. (सी-I)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 28th January, 2003

S.O. 652.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the Award (Ref. No. 158/98) of the Central Government Industrial Tribunal-II Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BCCL and their workman, which was received by the Central Government on 28-1-2003.

[No. L-20012/245/97-IR(C-1)]

S. S. GUPTA, Under Secy.

### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (NO. 2) AT  
DHANBAD.

PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial dispute under Section 10(1)(d) of the I.D. Act, 1947.

REFERENCE NO. 158 OF 1998

**PARTIES :**

Employers in relation to the management  
of M/s. BCCL and their workman.

**APPEARANCES:**

On behalf of the workman : None.

On behalf of the employers : None.

State : Jharkhand Industry : Coal.

Dated, Dhanbad, the 30th December, 2002.

**ORDER**

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-20012 /245/97-I.R.-C.I dated, the 3rd June, 1998.

**SCHEDULE**

"Whether the action of the management of M/s. BCCL in denial to regularise Shri Gorakhnath Tiwari w.e.f. 9-3-93 as Driver with full back wages is justified? If not, to what relief the concerned workman is entitled?"

2. In this reference neither the concerned workman nor his representative appeared. The management side also did not appear before this Tribunal. It is seen from the record that the instant reference was received by this Tribunal on 17-7-98 and since then it is pending for disposal. Registered notices and show cause notices were issued to the workman/union as well as to the management but in spite of the issuance of notices they failed to turn up. In terms of Rule 10B of the I.D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notice issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002(94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W.S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W.S. such expectation to dispose of the reference on

merit comes to an end. It is not expected that for years together the Court will pursue the matter suo-moto with the expectations for appearance of the workman in spite of issuance of registered notices. As per I.D. Act the workman excepting under provisions of Section 2A is debarred from raising any industrial disputes. The disputes are mainly raised by the Union for their workmen. These unions in spite of receiving notices did not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Untill and unless the attitude of the union is changed. I consider that this uncalled for situation will persist. Definitely it is the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinitely period. Accordingly as there is no scope to dispose of the reference in question on merit the same is closed.

**B. BISWAS, Presiding Officer**

नई दिल्ली, 29 जनवरी, 2003

का.आ. 653.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.सी.एल. के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण I, धनबाद के पंचाट (संदर्भ संख्या 44/1995) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-01-2003 को प्राप्त हुआ था।

[सं. एल-20012/147/95-आई.आर. (सी-I)]

एस.एस. गुप्ता, अवर सचिव

New Delhi, the 29th January, 2003

S.O. 653.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 44/95) of the Central Government Industrial Tribunal I Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 28-1-2003.

[No. L-20012/147/95-IR(C-I)]

**S. S. GUPTA, Under Secy.**

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)  
(2A) of the Industrial Disputes Act, 1947.

Reference No. 44 of 1995.

## PARTIES :

Employers in relation to the management of  
Rajrappa Project of M/s. C.C. Ltd.

## AND

Their Workmen.

## PRESENT :

Shri S. H. Kazmi, Presiding Officer.

## APPEARANCES :

For the Employers : Shri D. K. Verma, Advocate.

For the Workmen : None.

STATE : Jharkhand. INDUSTRY : Coal

Dated, the 8th January, 2003.

## AWARD

By Order No. L-20012/147/95-I.R.(C-I) dated the 6th August, 1996 the Central Government in the Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

"Whether the Union is justified in demanding promotion of Sh. Ganesh Prasad to the post of Sr. E. P. Electrician? If so, to what relief is the workman entitled and from which date?"

2. It appears from the record that pursuant to the receipt of the order of reference the case was registered before this Tribunal on 21-8-1996 and then 14-11-1996 was fixed for filing written statement by the workman. Notice was also sent to both the sides but as it is evident from the order-sheet despite granting several adjournments at no point of time anyone appeared on behalf of the workman and filed written statement. This case is still pending for filing of the written statement on behalf of the workman and on the last date even registered notice was sent to the workman for that purpose.

The present case relates to the demand raised by the concerned workman regarding his promotion. It seems that either during the pendency of the present reference the concerned workman got the promotion, as desired by him or he is no more interested in pursuing the present matter due to some other reason, otherwise he or the union would not have left this case unattended since long in which not even the written statement has been filed on behalf of the workman till date. Whatever may be the reason, it

is evident from the aforesaid that there is no dispute in existence for being adjudicated and so it is needless to keep this case pending any further.

This reference, as such, stands finally disposed of.

S. H. KAZMI, Presiding Officer.

नई दिल्ली, 29 जनवरी, 2003

का. ग्रा. 654.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी.सी.एल. के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण I, धनबाद के पंचाट (संदर्भ संख्या 29/1996) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-1-2003 को प्राप्त हुआ था।

[सं. एल-20012/133/95-आई.आर. (सी-1)]

एस.एस. गुप्ता, अवसर सचिव

New Delhi, the 29th January, 2003

S.O. 654.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 29/1996) of the Central Government Industrial Tribunal I Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of CCL and their workman, which was received by the Central Government on 28-1-2003.

[No. L-20012/133/95-IR(C-1)]

S. S. GUPTA, Under Secy.

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. I, DHANBAD

In the matter of a reference under Section 10(1)(d)  
(2A) of the Industrial Disputes Act, 1947.

Reference No. 29 of 1996.

## PARTIES :

Employers in relation to the management of  
M/s. Central Coalfields Ltd.

## AND

Their Workmen.

## PRESENT :

Shri S. H. Kazmi, Presiding Officer.

## APPEARANCES :

For the Employers : Shri D. K. Verma, Advocate

For the Workmen : None

STATE : Jharkhand. INDUSTRY : Coal.

Dated, the 8th January, 2003.

## AWARD

By Order No. L-20012/133/95-IR.(C-I) dated the 24th July, 1996 the Central Government in the

Ministry of Labour has, in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute for adjudication to this Tribunal :

“Whether the demand for dependent employment under para 9.4.3 of NCWA-IV by the union for Smt. Bartee Ganjhee wife of Sh. Lald Ganjhee is justified? Whether the union is justified in demanding wages for workman since 23-1-1991? If so, to what relief is the concerned workman entitled?”

2. It appears from the record that this reference was registered before this Tribunal on 1-8-1996 and since then several adjournments were granted to enable the workman or the union to appear and file written statement. For that purpose notices were also sent repeatedly and even on the last date pursuant to the order passed a registered notice was sent to the concerned workman but at no point of time anyone appeared on behalf of the workman and the position as it exists till today is that this case is still pending for filing of the written statement on behalf of the workman.

The present case relates to the demand raised by the dependent of the deceased workman for his employment on compassionate ground. It seems that during the pendency of this reference either the said dependent has already got employment elsewhere or has lost interest in the present reference due to some other reason, otherwise there does not appear to be some any reason why he or the union has abandoned or has left this case unattended in which not even written statement on behalf of the workman has been filed till date. Whatever may be the reason it is evident from the aforesaid that there is no dispute as such for being adjudicated and so it would be absolutely needless to allow this case to remain pending for any longer.

This reference, as such, stands finally disposed of.  
S. H. KAZMI, Presiding Officer.

नई दिल्ली, 28 जनवरी, 2003

का.आ. 655.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू.सी.एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर (संदर्भ संख्या 15/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-01-2003 को प्राप्त हुआ था।

[सं. एल-22012/185/2000-आई आर (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 28th January, 2003

S.O. 655.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 115/2000) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute

between the employers in relation to the management of WCL and their workman, which was received by the Central Government on 27-1-2003.

[No. L-22012/185/2000-IR(C-II)]

N. P. KESAVAN, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT :

Shri B. G. Saxena, Presiding Officer

Reference No. CGIT : 15/2001

The General Manager (IR), W.C.L.

AND

Shri R. C. Saxena.

#### AWARD

The Central Government, Ministry of Labour, New Delhi by exercising the powers conferred by Clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-22012/185/2000-IR(C-II) dated 8-3-2001 on following schedule.

#### SCHEDULE

“Whether the action of the General Manager (IR), WCL, Coal Estate, Civil Lines, Nagpur (M.S.) in not giving appointment letter in the selected post of Jr. Technical Inspector (Q.C.)/National Seniority w.e.f. 20-10-1987 to Shri R. C. Saxena, Pharmacist of Eklehra Colliery is justified? If not, what relief the workman is entitled to?”

In this reference application has been moved jointly by the workman and management that they have settled the matter and they do not want to contest the case. In view of the above application dated 8-1-2003 both the parties want that the case be closed. The reference is therefore disposed of an not pressed.

#### ORDER

The parties have settled the matter mutually and do not want to proceed further in view of their agreement. The reference is therefore disposed of for want of prosecution.

Date : 8-1-2003.

B. G. SAXENA, Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का.आ. 656.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डब्ल्यू.सी.एल. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर (संदर्भ संख्या 115/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-01-2003 को प्राप्त हुआ था।

[सं. एल-22012/256/98-आई आर. (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 28th January, 2003

S.O. 656.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 115/2000) of the Central Government Industrial Tribunal-cum-Labour Court,

Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of WCL and their workman, which was received by the Central Government on 27-1-2003.

[No: L-22012/256/98-IR(C-II)]

N. P. KESAVAN, Desk Officer

### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

### PRESENT :

Shri B. G. Saxena, Presiding Officer.

Reference No. CGIT : 115/2000

The Sub Area Manager, W.C.L.

### AND

Shri Prakash Rao S/o Mahik Rao Manimode.

### AWARD

The Central Government, Ministry of Labour, New Delhi by exercising the powers conferred by Clause (d) of Sub Section (1) and Sub-Section 2(A) of Section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-22012/256/98/IR(CM-II) dated 27-5-1999 on following schedule.

### SCHEDULE

"Whether the action of the management of WCL, through Sub Area Manager, Sillwara Colliery, PO : Sillwara, Tah : Saoner, Distt. Nagpur in terminating the services w.e.f. 31-3-1997 of Sh. Prakash Rao S/o Manik Rao Manimode, Loader, R/o Village-Saoli, PO : Hingna (Dharabax), Tah : Parsioni, Distt. Nagpur who has rendered about 11 years service with management, is justified, proper and legal? If not, to what relief is the workman concerned entitled?"

This reference was sent by Ministry of Labour, New Delhi to CGIT Court No. II of Mumbai and the case was registered there in June, 1999.

This file was received by transfer from CGIT Court No. II at CGIT Court, Nagpur in April, 2000.

The workman Prakash Rao S/o Manik Rao Manimode was terminated from service by the management of WCL, Sub Area Manager, Sillwara Colliery, Distt. Nagpur on 31-3-97.

He has mentioned in his Statement of Claim that he was working as Loader in the colliery from 5-8-83. He was not feeling well and he moved application for his leave. His leave was sanctioned from 27-2-97 to 31-3-97. No enquiry was held against him and he was terminated w.e.f. 31-3-97. His termination is illegal. He claimed reinstatement with backwages.

The management of WCL contested the case that the workman was appointed as Casual Loader. He did not work for 190 days in any calendar year, hence his service was not regularised. He remained casual labour till the date of his termination. No enquiry is required for a workman whose service is not regularised. Prior to his termination his attendance for the last 5 years was as under :—

1992 — 138 days.  
1993 — 154 days.  
1994 — 115 days.  
1995 — 106 days.  
1996 — 59 days.

He was not sanctioned any leave from 27-2-97 to 31-3-97. During the year 1997 he worked for 6 days in January, 97, 2 days in February, 97. He remained absent for the whole month in March, 97 and he was not paid any wages for

the month of March, 97. As he was not a regular employee no departmental enquiry was conducted against him. He was habitual absentee, hence his service was terminated. He was not entitled to any sick leave. He is not entitled to any relief claimed by him.

Both the parties have submitted oral and documentary evidence. Their counsel also submitted Written Arguments.

I have considered the entire oral and documentary evidence on record.

In his statement in the Court on 1-12-2000 Sri Prakash Rao claimant has stated that he was appointed as a Casual Labour. He had applied for regularising his service. He does not know whether he worked only for 3 days in August, 1995. The workman has stated that he had taken leave from 27-2-97 to 31-3-97. The advocate of the workman represented that no leave application from 27-2-97 to 31-3-97 has been filed by the workman in the Court. No order for sanctioning of this leave has been submitted in this Court. No document has been submitted to show that he was paid wages for the month of March, 97. This witness further stated in cross examination that from January, 97 to March, 97 he had worked for 3 days only as he had received injury in January, 97. This witness stated that he can not read and write. From the statement of the workman Shri Prakash Rao S/o Manik Rao it is clear that this witness was absent from duty several times. He was habitual absentee. He worked only for 3 days from January, 97 to March, 1997. His statement therefore does not show that he had worked continuously for 190 days in any calendar year.

The management examined witness Vasant S/o Govind Rao Ganur, Personal Manager. He stated that the temporary employee or a casual worker is not entitled for any leave salary. The workman was paid 15 days salary by clerical mistake in the year 1995 and 1996. The letter for recovery of this amount was sent to the workman. The name of the workman was struck off from the Master Roll from 31-3-97. The order for striking off the name of the workman from the Master Roll is letter No. SPM/SM/SIL/97/657 dated 31-3-97. This document has been filed by the workman. In this letter it is clearly mentioned that the workman did not work for 190 days in any year during his entire service period and due to high irregularity in his service, his service was discontinued from 31-3-97. In this letter it is mentioned that in 1995 he had worked for 106 days. In 1996 he worked only for 59 days.

The workman has not submitted any document to show that he had worked for more than 190 days during the years from 1992 to 1996. In the above circumstances the termination of his service by the management of WCL is justified.

The workman has himself admitted in cross examination that his service was not regularised by the management of WCL till 31-3-97 i.e. the date of his removal from service.

In the above circumstances and evidence on record the workman is not entitled to any relief claimed by him.

### ORDER

The action of the management of WCL through Sub Area Manager, Sillwara Colliery, Tah. Saoner, Distt. Nagpur in terminating the services of Shri Prakash Rao S/o Manik Rao, Loader w.e.f. 31-3-97 is justified, proper and legal. The workman is not entitled to any relief claimed by him.

The reference is answered accordingly.

Date : 15-1-2003.

B. G. SAXENA, Presiding Officer

नई दिल्ली, 28 जनवरी, 2003

का.आ. 657.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ.सी.आई. प्रबंधन के संबंध नियोजकों और उनके

कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नागपुर (संदर्भ संख्या 35/2001) को प्रकाशित करती है, जो केन्द्रीय सरकार को 27-1-2003 को प्राप्त हुआ था।

[सं. एन-22012/498/94-आई.आर. (सी-II)]

एन.पी. केशवन, डस्क अधिकारी

New Delhi, the 28th January, 2003

S.O. 657.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 35/2001) of the Central Government Industrial Tribunal-cum-Labour Court, Nagpur as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 27-1-2003.

[No. L-22012 498 94-IR(C-II)]

N. P. KESAVAN, Desk Officer.

#### ANNEXURE

#### BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, NAGPUR

#### PRESENT :

Shri B. G. SAXENA, Presiding Officer,  
Reference No. CGIT : 35/2001

Food Corporation of India.

AND

Their Workmen.

#### AWARD

The Central Government, Ministry of Labour, New Delhi by exercising the powers conferred by Clause (d) of Sub-Section (1) and Sub-Section (2A) of Section 10 of the Industrial Disputes Act, 1947 has referred this dispute for adjudication vide Order No. L-22012 498 94-IR(C-II) dated 16-5-95 on following schedule.

#### SCHEDULE

"Whether the action of the Food Corporation of India, Management, Ajni, Nagpur in forcibly retirement of 8 workers from 30-9-1992 is legal, proper and just and fair? If not, to what relief are these 8 workmen entitled to?"

This reference was sent to C.G.I.T., Jabalpur in the month of May, 1995. The file remained pending in C.G.I.T., Jabalpur upto July, 2001. The notices were issued to the parties for hearing by this Court and parties were directed to produce evidence on 27-9-2001. No oral evidence was produced in this case. The parties submitted documents and argued the case.

Shri Ramdayal Singh, Organising Secretary of F.C.I. Union submitted Statement of Claim that 8

workman, namely (1) Shri Lakshman Warlu Ganar (2) Shri Babarao Godruji Nikose, (3) Shri Mahadeo Bajirao Pedam, (4) Shri Kondaba Mintu Madavi, (5) Shri Shivaji Jibal Jhanjal, (6) Shri Shamrao Sadashiv Kamble, (7) Shri Badri Singh Thakur (8) Shri Dev Rao Moherle who were posted at Ajni Depot in Nagpur were forcibly retired by the management on 30-9-92. Shri Dev Rao Moherle and Badri Singh Thakur was superannuated on 31-7-93. The workmen were entitled to continue in service till they become unfit to do work. There is no age of superannuation in F.C.I. They were not medically examined before retirement. As there is no fixed retirement age they could continue to work so long as they were physically and mentally fit.

The management of F.C.I. contested the case that the aforesaid workmen had completed 58 years of age and so they had retired. The demand of union for continuing them in service after the age of 58 years is baseless. The decision of Government of India with regard to the age of retirement that the age of retirement of any category of employees is 58 years according to F.C.I. Staff Regulations. The departmental labour working in F.C.I. godowns at Mumbai, Panvel, Pune, Wardha and Manmad, the retirement age is also fixed at 58 years. The workmen are therefore not entitled to any relief.

I have considered the documentary evidence produced by the parties and the arguments submitted by them.

The Memorandum of Settlement under Section 18 of I. D. Act dated 8-9-94 shows that the Loaders were found eligible for appointment and their appointment were subject to their not having crossed the age of Superannuation i.e. 58 years. This document is Annexure-'B'. Another Memorandum of Settlement arrived at under Section 2(P) of I. D. Act and Rule-58 of I.D. (Central) Rules 1957 between the management of F.C.I. and the union of workers dated 31-12-80 also shows as under :—

"Every departmentalised worker shall retire when he attains the age of 58 years."

In view of the above documents it is evident that there is no illegality in the order of the management.

The action of the Food Corporation of India in retiring the claimants on completing 58 years of age is legal, proper, just and fair. There is nothing on record to show that they were retired forcibly against any rule or law.

#### ORDER

The action of the Food Corporation of India, Management, Ajni in retiring 8 workmen who have submitted their Claim on completing 58 years of age is legal, proper, just and fair. The workmen are not entitled to any relief.

The reference is answered accordingly.

B. G. SAXENA, Presiding Officer



नई दिल्ली, 29 जनवरी, 2003

नई दिल्ली, 29 जनवरी, 2003

का.आ. 658.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार बी.बी.एम.बी. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ (संदर्भ संख्या 132/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-1-2003 को प्राप्त हुआ था।

[सं. एल-23012/22/97-आई.आर. (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th January, 2003

S.O. 658.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 132/98) of the Central Government Industrial Tribunal-cum-Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of BBMB and their workman, which was received by the Central Government on 28-1-2003.

[No. L-23012/22/97-IR(C-II)]

N. P. KESAVAN, Desk Officer

## ANNEXURE

## THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Presiding Officer—Shri S. M. Goel.

Case No. I.D. 132/98

Shri Tirath Ram S/o Sh. Gokal Singh,  
Secretary Legal, Nangal Bhakra Mazdoor Sangh,  
Nangal Township, Distt. Ropar (Punjab).

...Applicant

V/s.

Chief Engineer, Bhakra Dam,  
Nangal Township, Distt. Ropar (Punjab).

...Respondent

## REPRESENTATIVES:

For the workman—Shri R. K. Singh.

For the Management—Shri R. C. Sharda.

## AWARD

(Passed on 21-12-2002)

The Central Government Ministry of Labour vide Notification No. L-23012/22/97-IR(CM-II) dated 17-7-1998 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of BBMB in not protecting the pay of Sh. Tirath Ram S/o Sh. Gokal Singh, Tractor Operator is justified? If not, to what relief is the workman entitled and from which date?"

2. In view of the amicable settlement between the parties in Lok Adalat the reference is returned as settled. Central Government be informed.

CHANDIGARH:

Dated: 21-12-2002.

Camp at Nangal.

S. M. GOEL, Presiding Officer

का.आ. 659.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार एफ.सी.आई. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ (संदर्भ संख्या 161/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-1-2003 को प्राप्त हुआ था।

[सं. एल-22012/61/97-आई.आर. (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th January, 2003

S.O. 659.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 161/98) of the Central Government Industrial Tribunal-cum-Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 28-1-2003.

[No. L-22012/61/97-IR(C-II)]

N. P. KESAVAN, Desk Officer

## ANNEXURE

## THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Presiding Officer—Shri S. M. Goel.

Case No. I.D. 161/98

Sh. Madan Lal Sahota AG-II(D), C/o Shri Sarbjit  
Singh Gill 4-D, Kailash Nagar, Fazilka.

...Applicant

V/s.

The District Manager, Food Corporation of India,  
Faridkot.

...Respondent

## REPRESENTATIVES:

For the workman—None.

For the Management—Sh. Ravi Kant Sharma.

## AWARD

(Passed on 10-1-2003)

The Central Government Ministry of Labour vide Notification No. L-22012/61/97-IR(C-II) dated 30-7-98 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of the FCI in terminating the services of Sh. Madan Lal Sahota AG-II(D) w.e.f. 23-3-96 is legal and justified? If not, to what relief the concerned workman is entitled and from which date?"

2. None appeared on behalf of the workman. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Government for want of prosecution. Central Government be informed.

CHANDIGARH:

Dated: 10-1-2003.

S. M. GOEL, Presiding Officer

नई दिल्ली, 29 जनवरी, 2003

नई दिल्ली, 29 जनवरी, 2003

का.आ. 660.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय एफ.सी.आई. प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ (संदर्भ संख्या 133/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-01-2003 को प्राप्त हुआ था।

[सं. एल-22012/408/98-आई.आर. (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th January, 2003

S.O. 660.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 133/99) of the Central Government Industrial Tribunal-cum-Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 28-1-2003.

[No. L-22012/408/98-IR(C-II)]

N. P. KESAVAN, Desk Officer

## ANNEXURE

## THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Presiding Officer—Shri S. M. Goel.

Case No. I.D. 133/99

Sh. Satnam Singh, S/o Sh. Mohinder Singh, Bhakhu Nangal, Tehsil Kartarpur, Distt. Jalandhar.

...Applicant

V/s.

The Distt. Manager, Food Corporation of India, Jalandhar.

...Respondent

## REPRESENTATIVES :

For the workman—None.

For the management—Sh. S. K. Gupta.

## AWARD

(Passed on 14-1-2003)

The Central Government Ministry of Labour vide Notification No. L-22012/408/98-IRC(CM-II) dated 24-5-1999 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Food Corporation of India, Jalandhar in terminating the services of Sh. Satnam Singh S/o Sh. Mohinder Singh is legal and justified? If not, to what relief is the workman entitled?"

2. None appeared on behalf of the workman. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Government for want of Prosecution. Central Government be informed.

CHANDIGARH :

Dated : 14-1-2003.

S. M. GOEL, Presiding Officer

का.आ. 661.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय एफ.सी.आई. प्रबंधन के संबद्ध नियोजकों और उनके कर्मकारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ (संदर्भ संख्या 2/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-01-2003 को प्राप्त हुआ था।

[सं. एल-22012/73/2001-आई.आर. (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th January, 2003

S.O. 661.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 2/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 28-1-2003.

[No. L-22012/73/2001-IR(C-II)]

N. P. KESAVAN, Desk Officer

## ANNEXURE

## CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

PRESIDING OFFICER

SHRI S. M. GOEL

Case No. ID 2/2k2

Sh. Mukhtiar Singh

C/o General Secretary, Trade Union Council, Patiala.

.. Applicant.

V/s

The Sr. General Manager,  
Food Corporation of India,  
R.O. Punjab, Sector 34,  
Chandigarh.

.. Respondent.

## REPRESENTATIVES

For the workman : None.

For the management : None.

## AWARD

(Passed on 10-1-2003)

The Central Govt. Ministry of Labour vide Notification No. L-22012/73/2001/IR(CM-II) dated 21st December 2001 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Food Corporation of India in terminating the services of Sh. Mukhtiar Singh S/o Sh. Sarwan Singh on 2-3-1999 is legal and justified? If not, to what relief he is entitled to?"

2. None appeared on behalf of the workman despite notice. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution, Central Govt.

CHANDIGARH.

Dated : 10-1-2003.

S. M. GOEL, Presiding Officer

नई दिल्ली, 29 जनवरी, 2003

का.आ. 662.—श्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय एफ.सी.आई. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट श्रौद्योगिक विवाद में केन्द्रीय सरकार श्रौद्योगिक अधिकरण चण्डीगढ़ (संदर्भ संख्या 3/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-01-2003 को प्राप्त हुआ था।

[सं.एल-22012/52/2001-आई.आर. (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th January, 2003

S.O. 662.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 3/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 28-1-2003.

[No. L-22012/52/2001-IR(C-II)]

N. P. KESAVAN, Desk Officer

## ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

PRESIDING OFFICER SHRI S. M. GOEL  
Case No. I.D. 3/2002

Sh. Resham Singh, C/o General Secretary, Trade Union Council, Patiala.

.. Applicant.

Vs

The Sr. General Manager, Food Corporation of India, R.O. Panjab, Sector 34, Chandigarh.

.. Respondent.

## REPRESENTATIVES

For the workman: None.

For the Management: None.

## AWARD

(Passed on 10-1-2003)

The Central Govt. Ministry of Labour vide Notification No. L-22012/52/2001-IR(CM-II) dated 24-12-2001 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of Food Corporation of India in terminating the services of Sh. Resham Singh S/o Sh. Harnam Singh on 10-4-99 is legal and justified? If not, to what relief he is entitled to?"

2. None appeared on behalf of the workman despite notice. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution.

Central Govt. be informed.

CHANDIGARH.

Dated: 10-1-2003.

S. M. GOEL, Presiding Officer

नई दिल्ली, 29 जनवरी, 2003

का.आ. 663.—श्रौद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय एफ.सी.आई. प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट श्रौद्योगिक विवाद में केन्द्रीय सरकार श्रौद्योगिक अधिकरण चण्डीगढ़ (संदर्भ संख्या 177/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-01-2003 को प्राप्त हुआ था।

[सं.एल-22012/352/97-आई.आर. (सी-II)]

एन.पी. केशवन, डेस्क अधिकारी

New Delhi, the 29th January, 2003

S.O. 663.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 177/98) of the Central Government Industrial Tribunal-cum-Labour Court, Chandigarh as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of FCI and their workman, which was received by the Central Government on 28-1-2003.

[No. L-22012/352/97-IR(C-II)]

N. P. KESAVAN, Desk Officer

## ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

PRESIDING OFFICER SHRI S. M. GOEL

Case No. I.D. 177/98

Sh. Jaswant Singh

C/o Sh. Sarbjeet Singh Gill, D/4, Kailash Nagar

Fazilka (PB) .. Applicant.

Vs

The Sr. Regional Manager,  
FCI, Regional Office Punjab,  
Sector 34, Chandigarh.

.. Respondent.

## REPRESENTATIVES

For the workman: None.

For the management: Sh. Parmod Jain.

## AWARD

(Passed on 23-1-2003)

The Central Govt. Ministry of Labour vide Notification No. L-22012/352/97-IR(CM-II) dated 31st July, 1988 has referred the following dispute to this Tribunal for adjudication:

"Whether the action of the management of FCI, represented by Sr. Regional Manager, Punjab, FCI, Chandigarh and Distt. Manager, Food Corporation of India, Sangrur in reverting Sh. Jaswant Singh 13-7-72 to 12-3-85 and subsequently imposing penalty of dismissal from service w.e.f. 12-3-85 is just and legal? If not, to what relief the workman is entitled and from which date?"

2. None appeared on behalf of the workman. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed.

CHANDIGARH.

Dated: 23-1-2003.

S. M. GOEL, Presiding Officer

नई दिल्ली, 29 जनवरी, 2003

का.आ. 664.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ पटियाला के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चंडीगढ़ के पंचाट (संदर्भ संख्या आई.डी. 113/90) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-01-03 को प्राप्त हुआ था।

[सं. एल-12012/139/90-आई.आर. (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 29th January, 2003

S.O. 664.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Case No. I.D. 113/90) of the Central Government Industrial Tribunal Labour Court, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of Patiala and their workman, which was received by the Central Government on 28-1-2003.

[No. L-12012/139/90-IR(B.1)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Presiding Officer.—Shri S. M. Goel.

Case No. I.D. 113/90

Mohinder Singh C/o General Secretary, State Bank of Patiala Staff Union 719, Sector 22-A, Chandigarh.

... Applicant

Versus

General Manager (Operation) State Bank of Patiala, The Mall Patiala.

... Respondent

#### APPEARANCES :

For the Workman : None.

For the Management : Shri N. K. Zakhmi.

#### AWARD

(Passed on 3-1-2003)

The Central Government vide notification No. L-12012/139/90-IR(B.3) dated 28th of August, 1990 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the State Bank of Patiala in imposing punishment of stoppage of two annual grade increments with future effect on Shri Mohinder Singh, Daftry, at their Patiala ADB, Branch is legal and justified ?

If not, to what relief the concerned workman is entitled and from what date ?”

2. Today the case was fixed for necessary orders as none had put up appearance in the case on the last date of hearing also. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Ministry as dismissed in default. Central Government be informed.

Chandigarh.

Dated : 3-1-2003.

S. M. GOEL, Presiding Officer

नई दिल्ली, 29 जनवरी, 2003

का.आ. 665.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार स्टेट बैंक ऑफ पटियाला के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चंडीगढ़ के पंचाट (संदर्भ संख्या आई.डी. 148/90) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-01-03 को प्राप्त हुआ था।

[सं. एल-12012/173/90-आई.आर. (बी-1)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 29th January, 2003

S.O. 665.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Case No. I.D. 148/90) of the Central Government Industrial Tribunal Labour Court, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of State Bank of Patiala and their workman, which was received by the Central Government on 28-1-2003.

[No. L-12012/173/90-IR(B.1)]

AJAY KUMAR, Desk Officer

#### ANNEXURE

#### CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL-CUM-LABOUR COURT, CHANDIGARH

Presiding Officer.—Shri S. M. Goel.

Case No. I.D. 148/90

Baldev Singh C/o General Secretary, State Bank of Patiala Staff Union, 719 Sector-22-A, Chandigarh.

... Applicant

Versus

General Manager, State Bank of Patiala, The Mall Patiala.

... Respondent

#### APPEARANCES :

For the Workman : None.

For the Management : Shri N. K. Zakhmi.

## AWARD

(Passed on 3-1-2003)

The Central Government vide notification No. L-12012/173/90.IR(B.3) dt. 25th of October, 1990 has referred the following dispute to this Tribunal for adjudication.

"Whether the action of the management of State Bank of Patiala in terminating the services of Shri Baldev Singh, Watchman, New Mandi, Khanna Branch w.e.f. 12-4-88 without complying with the provisions of Section 25-F of the I.D. Act, 1947, is legal and justified? If not, to what relief the concerned workman is entitled to?"

2. Today the case was fixed for necessary orders as none had put up appearance in the case on the last date of hearing also. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Ministry as dismissed in default. Central Government be informed.

Chandigarh.

dated : 3-1-2003.

S. M. GOEL, Presiding Officer

नई दिल्ली, 31 जनवरी, 2003

का.आ. 666.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विशाखापटनम पोर्ट ट्रस्ट के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण हैदराबाद के पंचाट (संदर्भ संख्या 181/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-1-2003 को प्राप्त हुआ था।

[सं. एल-34011/9/2000-आई.आर. (एम)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 31st January, 2003

S.O. 666.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 181/2002) of the Central Government Industrial Tribunal-cum-Labour Court, Hyderabad as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Visakhapatnam Port Trust and their workman, which was received by the Central Government on 30-1-2003.

[No. L-34011/9/2000-IR(M)]

AJAY KUMAR, Desk Officer

## ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL-CUM-LABOUR  
COURT AT HYDERABAD

350 GI/2003—21

## PRESENT :

Shri E. Ismail.—Presiding Officer.

Dated : 16th September, 2002

Industrial Dispute No. 181/2002

(Old I.D. No. 35/2001 transferred from Industrial Tribunal-cum-Labour Court, Visakhapatnam)

## BETWEEN

The General Secretary,  
Port & Dock Employees Association,  
14-25-32A, Dandu Bazaar,  
Maharanipeta,  
Visakhapatnam.

Petitioner

## AND

The Chairman,  
Visakhapatnam Port Trust,  
Visakhapatnam-35.

Respondent

## APPEARANCES :

For the Petitioner.—M/s. V. V. Bala Krishna,  
K. S. Chalam and G. Renuka, Advocates.

For the Respondent.—M/s. A. Krishnam Raju,  
G. Dinesh Kumar, G. V. N. Babu, N. P.  
Rao and T. P. Das, Advocates.

## AWARD

The Government of India, Ministry of Labour by its Order No. L-34011/9/2000-IR(M) dt. 24-1-2001 referred the following dispute under Section 10(1) (d) of the I. D. Act, 1947 for adjudication to the Industrial Tribunal-cum-Labour Court, Visakhapatnam between the management and their workman. In view of Government of India, Ministry of Labour's Order No.H-11026/1/2001-IR(C.II) dt. 18-10-2001 this case has been transferred to this Tribunal bearing No. 35/2001. The reference is,

## SCHEDULE

"Whether the demand of Port & Dock employees' Association, Visakhapatnam for granting conveyance allowance in favour of their member workman Sh. B. Srirama Murthy (appointed in physical handicapped quota) from the date of initial appointment i.e. 23-6-1988 till 28-11-1997 by the management of Visakhapatnam Port Trust is legal justified? If not, to what relief the Union is entitled?"

The reference is numbered in this Tribunal as I.D. No. 181/2002 and notices issued to the parties.

2. The dispute raised by the General Secretary, Port & Dock Employees' Association about the handicapped workman Sri B. Srirama Murthy appointed in physically handicapped quota. From the date of initial appointment that is 23-6-88 to 28-11-1997. He was not paid conveyance allowance during the said period which is against law and justice. The brief facts lead to this present case are

one Sri B. Srirama Murthy was initially appointed as a Messenger on physically handicapped quota (Class IV) in the Marine Department of the management as per the office order dated 23-6-88 of Dy. Conservator, Visakhapatnam Port Trust. This appointment is made only on the strength of disability certificate dt. 20-11-87 issued by the Professor, Orthopaedics, King George Hospital, Visakhapatnam. The above person was subsequently posted to the post of clerk w.e.f. 6-6-96. The employee applied for grant of conveyance allowance being handicapped basing on the disability certificate issued to him yet the emp-

loyee was asked by the management to appear before the Medical Board for assessment of his physical disability and he obtained the handicapped certificate from the Medical Board on 21-11-97 and submitted to the management on 29-11-97. The Medical Board certified that his disability is 60 per cent. This employee was granted conveyance allowance only from the date of Re-medical examination but not from initial appointment. The workman Sri Srirama Murthy is entitled for Rs. 9093 as conveyance allowance from 23-6-88 to 28-9-97 detailed as follows :

Sl. No.	From	To	Designation	Basic Pay Rs.	5 % of Basic Pay (Max. 100/-) Rs. per month	Arrears of conveyance allowance and allowance already drawn Rs. per month
1	2	3	4	5	6	7
1	23-6-88	31-12-88	Messenger	1040/-	52/-	52/-
2	1-1-89	31-5-89	-do-	1040/-	52/-	52/- (-Rs. 30/-)
3	1-6-89	31-5-90	-do-	1060/-	53/-	53/- (-Rs. 30/-)
4	1-6-90	31-5-91	-do-	1080/-	54/-	54/- (-Rs. 30/-)
5	1-6-91	31-12-91	-do-	1100/-	55/-	55/- (-Rs. 30/-)
6	1-1-92	31-5-92	-do-	1100/-	55/-	55/- (-Rs. 30/-)
7	1-6-92	6-9-92	-do-	1120/-	56/-	56/- (-Rs. 30/-)
8	7-9-92	31-12-92	Lascar Gr. II	1145/-	57.25/-	57.25/- (-Rs. 50/-)
9	1-1-93	31-8-93	-do-	2225/-	100/-	100/- (+ 90/-)
10	1-9-93	31-8-94	-do-	2275/-	100/- (Max)	100/- (+ 90/-)
11	1-9-94	31-8-95	-do-	2325/-	100/- (Max)	100/- (+ 90/-)
12	1-9-95	26-5-96	-do-	2375/-	100/- (Max)	100/- (+ 90/-)
13	27-5-96	5-6-96	Lascar Gr. I	2495/-	100/- (Max)	100/- (+ 90/-)

Hence, the management may be directed to pay conveyance allowance of Rs. 9093.

3. A counter was filed admitting that the petitioner was initially appointed in the physically handicapped quota on 23-6-88 and was promoted from 6-6-96. The relative rule is as follows : "the government servants concerned shall accordingly apply for the grant of conveyance allowance to the heads of their departments. It shall be the responsibility of the head of the department concern to refer the case of the concern employee to the appropriate medical authorities for obtaining their recommendations for grant of conveyance allowance. The allowance may be granted w.e.f. the date of recommendation of the concerned medical authority is received by the head of the department." It is submitted that the petitioner applied for grant of conveyance allowance from 17-9-97. As such he was referred to the District Medical Board and the Board issued a certificate dated 29-11-97 confirming 60 per cent disability. He has been granted conveyance allowance @5 per cent on basic pay subject to maximum of Rs. 100 per month from the date of issued of certificate that is 29-11-97. He is not entitled for conveyance allowance for the period from 23-6-88 to 28-11-97. Though the petitioner obtained the employment in physically handicapped quota the same cannot be

taken for grant of conveyance allowance. Though the grant of conveyance allowance is in accordance with the Government of India's order issued vide O.M. No. 21(1)/97/E.II(B) dated 3-10-97. Hence, he is not entitled for the conveyance allowance for the said period and it is liable to be dismissed.

4. Both the Counsels submitted that they do not have any oral evidence and marked Ex. W1 and Ex. M1. Ex. W1 is the certificate dated 20-11-97 on the basis of which the Petitioner obtained the employment. Ex. M1 is the Transport (Conveyance) Allowance to Blind or Orthopaedically Handicapped Government Employees. Ex. M1 which is which refers to the procedure laid down for granting of extra conveyance allowance which shall be double the normal rates prescribed under G.I., M.F., O.M. No. 21(1)/97/E.II(B) dated 3-10-97.

5. It was argued by the Learned Counsel for the Petitioner that when the very basic of job to Ex. W1, he should have been provided double the rate of the transport allowance or conveyance allowance from the date of joining and not from the date of his medical examination.

6. It is argued by the Learned Counsel for the Respondent that there is a prescribed procedure that the allowance may be granted with effect from the

date of recommendation of the concerned Medical Authorities received by the Head of the Department. Hence, he is not entitled for extra conveyance allowance from the date of his joining.

7. It may be seen that while Ex. M1 Sanctioning Authority para 2, states that, "all heads of the Department may sanction conveyance allowance in terms of these orders. The Government servants concerned shall accordingly apply for the grant of conveyance allowance to the Heads of their Departments. So it may be seen that even according to the petitioner he does not say as to when he applied for conveyance allowance. Actually the Petitioner applied for grant of conveyance allowance only from 17-9-97. However, Ex. M1 also says the allowance may be granted with effect from the date of recommendation of the concerned medical authority is received by the Head of the Department. This appears to be unreasonable. Because, the Petitioner has been appointed in physically handicapped quota on the strength of Ex. W1 which itself mentions the disability as 60 per cent. He has applied on 17-9-97. And the same is reconfirmed even according to the counter, by their own Doctor that the disability is 60 per cent. More over Ex. M1 Para 2 does not state that the allowance shall be granted from the date of recommendation of the concerned medical authority. Actually the petitioner has applied on 17-9-97 and Ex. W1 is again reconfirmed that he is having 60 per cent disability. In my opinion Ex. M1 does not restrict that it shall be paid only from the date of recommendation of the concerned medical authority. No doubt in several laws may be read as shall, but here this is an order and it only says may and I do not think it restricts the hand of the head of the Department to give the allowance only from the day when the recommendation of the concerned Medical Officer is received. Let us take for instance as a hypothetical case and presume that the recommendation of the Medical Authority is received after a year after one applies then what is the fault of the concerned person. Here of course it is only two months but I feel that in all fairness he should be granted conveyance allowance from the date of his application namely, 17-9-97. Accordingly the award is answered as follows, "The demand of Port and Dock Employees' Association, Visakhapatnam for granting conveyance allowance in favour of their member workman Sri B. Srirama Murthy (appointed in physically handicapped quota) from the date of initial appointment that is 23-6-88 to 28-11-97 by the management of Visakhapatnam Port Trust is not fully justified. The handicapped workman Sri B. Srirama Murthy is not entitled for conveyance allowance from 23-6-88 till 16-9-97 but he is entitled for conveyance allowance for the physically handicapped from the date of application that is 17-9-1997. Reference ordered accordingly. Transmit.

Dictated to Kum. K. Phani Gowri, Personal Assistant transcribed by her corrected and pronounced by me on this the 16th day of September, 2002.

E. ISMAIL, Presiding Officer.

## Appendix of Evidence

Witnesses examined for the Petitioner.—Nil.

Witnesses examined for the Respondent.—Nil.

### Documents marked for the Petitioner

Ex. W1.—Copy of physically handicapped certificate of the Petitioner dated 20-11-1987.

### Documents marked for the Respondent

Ex. M1.—Copy of circular reg. Conveyance allowance dated 3-10-97.

नई दिल्ली, 31 जनवरी, 2003

का.आ. 667.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विजया बैंक के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में औद्योगिक अधिकरण कोलम के पंचाट (संदर्भ संख्या 11/1999) को प्रकाशित करती है, जो केन्द्रीय सरकार को 30-1-2003 को प्राप्त हुआ था।

[सं. एल-12012/188/98-आई.आर. (बी-II)]

अजय कुमार, डेस्क अधिकारी

New Delhi, the 31st January, 2003

S.O. 667.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 11/1999) of the Industrial Tribunal, Kollam as shown in the annexure in the Industrial Dispute between the employers in relation to the management of Vijaya Bank and their workman, which was received by the Central Government on 30-1-2003.

[No. L-12012/188/98-IR(B-II)]

AJAY KUMAR, Desk Officer

### ANNEXURE

IN THE COURT OF THE INDUSTRIAL TRIBUNAL,  
KOLLAM

(Dated, this the 2nd day of January, 2003)

PRESENT:

Sri C. N. Sasidharan, Industrial Tribunal

IN

Industrial Dispute No. 11/99

BETWEEN

The Regional Manager,  
Vijaya Bank, Puthenchanthai,  
M. G. Road, Trivandrum.

... Management

(By. S. S. Kalkura, Advocate, Trivandrum)

AND

The Regional President,  
Vijaya Bank Workers Organisation,  
Vijaya Bank,  
M. G. Road, Trivandrum.

... Union

(By Sri K. Muraleedharan Nair, Advocate,  
Trivandrum)

AWARD

The Government of India as per Order No. L-12012/188/98-(B-II) dated 28-2-1999 have referred this industrial dispute to this Tribunal for adjudicating the following issue :

"Whether the action of the management of M.s. Vijaya Bank in removing Sri P. K. Surendranathan, Part-time sweeper, Kottayam branch from service w.e.f. 1-12-1997 is justified? If not, to what relief the workman is entitled to?"

2. Both sides entered appearance and filed statements advancing their respective contentions before August, 2000. Thereafter this case stood posted for evidence of the parties on several dates. But no evidence has been let in by either side. On 3-11-2002 the union prayed for adjournment without any reason for adducing evidence. That prayer was rejected since it is a very old case and the case was adjourned to 24-12-2002 for evidence of management as last chance. But the management on that day prayed for adjournment without stating any reasons. Hence that prayer was also rejected. In this state of affairs it can be reasonably presumed that both sides are not interested to prosecute this matter. Since the workman who has raised this dispute failed to adduce any evidence to substantiate his claim even after a period of three years, no relief can be granted and it is not necessary to proceed further in this matter.

3. In view of what is stated above, an award is passed holding that the workman Sri P. K. Surendranathan is not entitled to any relief.

C. N. SASIDHARAN, Industrial Tribunal

नई दिल्ली, 30 जनवरी, 2003

का.आ. 668.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार व्याप्त निम्नलिखित बोर्ड के प्रबंधन के संबंध में निोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ के पंचाट (संदर्भ संख्या आई.डी. 30/90) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-01-2003 को प्राप्त हुआ था।

[सं. एल-42012/67/89/डी. 2(बी)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th January, 2003

S.O. 668.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 30/90) of the Central Government Industrial Tribunal/Labour Court, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Beas Construction Board, Civil Works Division, Bhiwani and their workman, which was received by the Central Government on 28-1-2003.

[No. L-42012/67/89-D-2 (B)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

The Central Government Industrial Tribunal-cum-Labour Court, Chandigarh

PRESIDING OFFICER : SHRI S. M. GOEL  
Case No. I. D. 30/90

Umed Singh S/o Shri Darya Singh

Village Dhirana Kalan Tehsil and Distt Bhiwani (Hry.)

....Applicant

Versus

The Executive Engineer, Beas Construction Board  
Civil Works Division, Beas Project, Prem Nagar  
Bhiwani—125021

....Respondent

REPRESENTATIVES

For the Workman : Shri Mani Ram

For the Management : Shri K. C. Goel &  
Neeru Chadha

AWARD

(Passed on 20-12-2002)

The Central Govt. Ministry of Labour vide Notification No L-42012/67/89/D-2 (B) dated 21st Feb., 1990 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Beas Construction Board in relation to Beas Project, Bhiwani in terminating the services of Sh. Umed Singh S/o Darya Singh w. e. f. 10-9-87 is justified? If not to what relief the worker is entitled to?"

2. In view of the amicable settlement between the parties in Lok Adalat the reference is returned as settled. Central Govt. be informed.  
Chandigarh.

Dated : 20-12-2002.

S. M. GOEL, Presiding Officer

नई दिल्ली, 30 जनवरी, 2003

का.आ. 669.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मेडिकल इंजिनियरिंग रिसर्च एंड डेवलपमेंट ऑरगेनाइजेशन के प्रबंधन के संबंध में निोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ के पंचाट (संदर्भ संख्या 24/93) को प्रकाशित करती



है, जो केन्द्रीय सरकार को 28-01-2003 को प्राप्त हुआ था।

[सं. एल-42012/1/92-आई.आर. (डी.यू.)]  
कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 20th January, 2003

S.O. 669.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 24/93) of the Central Government Industrial Tribunal/Labour Court Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of MERADO, Ludhiana and their workman, which was received by the Central Government on 28-1-2003.

[No. L-42012/1/92-I.R. (D.U.)]

KULDIPRAI VERMA, Desk Officer

#### ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, CHANDIGARH  
PRESIDING OFFICER : SHRI S. M. GOEL  
Case No. I.D. No. 24/93

Ram Parshad son of Mangru Ram C/o Shri Jagdish Singh Shimlapur, Gali No. 3 Gill Road, Ludhiana.  
....Applicant

Versus

Additional Director, Mechanical Engineering Research and Development Organisation, MERADO Ludhiana.  
....Respondent

#### APPEARANCES :

For the Workman : Shri O. P. Batra  
For the Management : Shri I. S. Sidhu

#### AWARD

(Passed on 19-12-2002)

The Central Govt. vide notification No. L-42012/1/92. IR (DU) dated 7th of January, 1993 has referred the following dispute to this Tribunal for adjudication :

“Whether the action of the management of Mechanical Engineering Research and Development Organisation Ludhiana in terminating the services of Shri Ram Parshad son of Sri Mangree w. e. f. 9-12-1985 is legal and justified. If not, what relief the workman concerned is entitled to?”

2. In the claim statement it is pleaded by the applicant that he worked with the management as Mali from 1981 to 9-12-1985 and his services were

terminated on 9-12-1985 in violation of Section 25 F of the I. D. Act, 1947. The management also violated the provisions of Section 25G and H of the I. D. Act. He has thus prayed for his reinstatement in service with full back wages and with all consequential benefits.

3. The management in written statement has taken preliminary objection that the applicant raised another dispute before the Labour Court, Ludhiana which was dismissed as withdrawn without any right reserving in the workman to file a fresh reference which amounts to construct res judicata and the reference deserved to be rejected. On merits it is pleaded that the applicant worked from 8-9-1981 to 30-11-1982 and he was paid for 167½ days of work. He also worked from 1-7-1985 to 18-7-1985. It is further pleaded by the management that at no point of time the workman worked for 240 days or more in a calendar year. It is admitted that no charge sheet or retrenchment compensation was given as it was not required and the management has not violated any provisions of Industrial Disputes Act, 1947. The management prayed for the rejection of the reference.

4. The workmen in evidence has filed his own affidavit as Ex.W1 and also proved the certificate. Ex.W2. In rebuttal the management produced Shri Rakesh Nigam as MW1 who filed his affidavit Ex. M1/A and documents Ex. M1 to M30.

5. I have heard the learned counsel for the parties and have gone through the evidence and record of the case. The learned counsel for the workman has referred me to the certificate Ex.W2 which was issued by the management which reads as follow:

“Certified that Shri Ram Parshad son of Shri Goverdhan of Simla Puri, Ludhiana has been working occasionally on contract as Mali in our organisation for past three years.”

The learned counsel for the workman has further argued that the language of the certificate issued by the management itself evidence that he has completed 240 days in one calendar year and the management has violated the mandatory provisions of the I.D. Act and the applicant deserves to be reinstated in service. I have gone through the certificate carefully. It does not contain as to how many days he worked with the management during these three years. The management has specifically pleaded in written statement that the applicant had worked only for 167½ days with the management during these three years. The management also proved the attendance register Ex.M4 to M22 which shows that he has only worked for less than 240 days in one calendar year. The applicant has thus failed to prove that he worked with the management for more than 240 days in one calendar year.

Thus to my mind, the management has not violated any provisions of the I.D. Act 1947. Thus there is no merit in the present reference and the same is returned against the workman. Central Govt. be informed.

Chandigarh.

19-12-2002

S.M GOEL, Presiding Officer

नई दिल्ली, 30 जनवरी, 2003

का.आ. 670.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार केन्द्रीय भेड़ प्रजनन फार्म, हिसार के प्रबंधक के संवद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ के पंचाट (संदर्भ संख्या आई. डी. 2/91) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-01-2003 को प्राप्त हुआ था।

[स.एल-42012/87/90-आई.आर. (डी.यू.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th January, 2003

S.O. 670.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I.D. No. 2/91) of the Central Government Industrial Tribunal/Labour Court Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Central Sheep Breeding Farm, Hissar and their workman, which was received by the Central Government on 28-1-2003.

[No. L-42012/87/90-IR(DU)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, CHANDIGARH

PRESIDING OFFICER : SHRI S.M. GOEL  
Case No. ID 2/91

President, District Agricultural Workers Union,  
Village & Post Office Kheri Barki, District Hissar.

....APPLICANT

VERSUS

Director, Central Sheep Breeding Farm Hissar

.....RESPONDENT

#### APPEARANCES

For the Union : Shri Darshan Singh

For the Management : Shri Arun Walia with  
Shri Dinesh Nagar

#### AWARD

(Passed on 27-12-2002)

Central Govt. vide No. 1 : L-42012/87/90. IR (DU) dated 19th of December 1990 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of Central Sheep Breeding Farm Hissar in regularising casual labours in the down grade to their actual job and also changing the nature of job is justified? If not, what relief the workers affected are entitled to and from what date?”

2. The Union filed the claim statement inter-alia pleading that on the special leave petition of the Union the Hon'ble Supreme Court has decided the case in favour of the Workers vide order dated 4-4-1988. It is further pleaded that the management regularised the services of semi skilled and skilled workers in the category of unskilled workers in the same grade. Due to this these semi-skilled and skilled workers have to work in the down grade category. The management has not given them their designation and they have been given the designation of beldar. Moreover the management has changed the nature of job of some workers while regularising their services. The Union has demanded that the management be directed to regularise the services of the workers in the grade in which they were working and the workers be given the designation of the posts in which they were earlier working with all consequential benefits.

3. The management in written statement has pleaded in preliminary objection that the management is not an industry and the workers are not workmen. On merit it is pleaded that the management was directed by the Hon'ble Supreme Court to regularise the services of the workers and in compliance of the directions of the Hon'ble Supreme Court and as per the policy of the Govt. of India, the casual workers were regularised in group D posts. It is further pleaded by the management that the appointment of casual workers only in group D was questioned by the Union before the Hon'ble Supreme Court through contempt proceedings but this application was dismissed by the Hon'ble Supreme Court and the issue is thus settled and there is no further cause of grievances. The Union filed fresh application which is still pending for disposal. Thus the management prayed for the rejection of the present reference.

4. Replication was also filed by the Union reiterating the claim made in the claim statement.

5. In evidence, the President of the Union filed his own affidavit and other affidavits. In this affidavit he has deposed that while regularising the services of the workers, the management for example changed

the designation of the worker like beldar to Pali and pali to Chowkidar. Some workers have been given the designation of beldar but actually they are working as supervisor, record keeper etc. and they have also been given the grades of beldar instead of supervisor and record keeper. The Union also produced 35 witnesses in evidence and they have also filed their affidavits Ex.W1 to Ex.W35. In cross-examination almost all the workers have deposed that they are performing the duties of grade C employees and they have been paid the grade of Group D employees. WW27 Pokar son of Ganpat deposed that he was never made regular. W.W. 28 Sheo Karan also deposed that he was never made regular. In rebuttal the management has produced Shri B.S. Rajprohit Veterinary Officer Central Sheep Breeding Farm Hissar as MW1 who filed his affidavit Ex. M1 to M39 regarding different workmen. He also filed the judgement of Hon'ble Supreme Court as Ex.M40, M41 to M43 and other documents Ex.M44 to M48.

6. I have heard the learned representative of the Union and also the learned counsel for the management and have also gone through the evidence and record of the case.

7. The learned representative of the Union has argued that the workers were doing the job of class C in nature and the management has regularised the services of the workmen in group D cadre resulting into the loss of pay and other allowance and designation to the workman although still they are doing the duties of class C in nature. He has also argued that some of the workers have been given the designation of Beldar although they were performing the duties of clerical in nature. He has referred me to the various certificates issued to the individual workers in which it was certified by the Director of the institute that the workman is performing specific duty. He has also referred me to the order of the Hon'ble Supreme Court dated 30-3-1992 in which the undertaking given by the Govt. to consider the claim and order dated 28-4-1992 vide which the case was disposed off on the undertaking that the management is in the process of giving them regular appointment. It is specifically argued by the learned counsel for the management that the workmen were regularised on the posts which were available with the management and the group C posts which the workmen demanded are not sanctioned and available with the management and the workers can not be regularised on the posts demanded by them and for this reason the workers have been regularised in Group D posts. I have gone through the orders of the Hon'ble Supreme Court according to which the Hon'ble Supreme Court has directed to regularise the services of the workman. The management has regularised the services of the workmen on the posts available with the management and there was no

specific direction from the Hon'ble Supreme Court that the workers be regularised on the post on which they were working. On the other hand the learned rep. of the workman has relied on the judgement of Hon'ble Supreme Court in the case of H.M.T. and others Vs. Rangareddy reported in 2000(4) R.S.J. 429 and another judgement of Hon'ble Supreme Court in the case of Gujarat Agriculture University Vs. Rathod Labhu Bachar reported in 2001(I) R.S.J. 770. It has been held in the above judgement of Gujarat Agriculture University that a scheme be formulated and in view of their long experience and working on the posts the qualification prescribed for the concerned post should not come in the way of their regularisation. But in the case in hand the applicants who were working on the posts before their regularisation, the particular posts was not available with the management and the management can not create the post specifically demanded by the workmen. Thus to my mind, the Hon'ble Supreme Court vide order dated 28-4-1992 finally disposed off the case on the undertaking of the Govt. to regularise the services of the workman. The Hon'ble Supreme Court has not directed specifically in this order that the workmen be regularised on the specific post. Therefore, the workmen can not now demand through this reference for their regularisation on the specific posts, specifically when the present reference was pending in this Tribunal much before the date i.e. 28-4-1992 when the case was finally disposed off by the Hon'ble Supreme Court. Thus I find no merit in the reference and the same is answered against the workmen. The reference is answered accordingly. Central Govt. be informed. Chandigarh,

27-12-2002

S. M. GOEL, Presiding Officer

नई दिल्ली, 30 जनवरी, 2003

का.आ. 671:— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रिजनल सेंटर फार मिलिटरी ऐंवर वरखी-नस के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, मुम्बई के पंचाट (संदर्भ संख्या सी.जी.आई.टी.-2/6 ऑफ 2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-01-2003 को प्राप्त हुआ था।

[सं.एल-14011/23/2001-आई.आर. (डी.यू.)]

कुलदीप राय वर्मा, डैस्क अधिकारी

New Delhi, the 30th January, 2003

S. O. 671.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947),

the Central Government hereby publishes the award (Ref. No. CGIT 2/6 of 2002) of the Central Government Industrial Tribunal/Labour Court, No. 2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Regional Centre for Military Air Worthiness and their workman, which was received by the Central Government on 28-1-2003.

[No. L-14011/23/2001-IR (DU)]  
KULDIP RAI VERMA, Desk Officer

### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL NO. II, MUMBAI

PRESENT: S. N. Saundankar

Presiding Officer

REFERENCE NO. CGIT-2/6 of 2002  
EMPLOYERS IN RELATION TO THE  
MANAGEMENT OF

THE REGIONAL DIRECTOR,  
REGIONAL CENTRE FOR MILITARY  
AIRWORTHINESS

The Regional Director,  
Regional Centre for Military Airworthiness,  
C/o Hindustan Aeronautics Ltd.,  
Nashik Division, Ojhar,  
NASIK (MAHARASHTRA) 422207

AND

THEIR WORKMEN

Mr. Kishor K. Jadhav,  
C/o Type-AA/3040  
Ojhar Township,  
P. O. Distt.  
NASIK (MAHARASHTRA) 422207.

APPEARANCES :

For The Employer : No Appearance.  
For The Workmen : Mr. Uday Chaudhari  
Representative.

Mumbai, dated 14th January, 2003

### AWARD

The Government of India, Ministry of Labour by its Order No. L-14011/23/2001/IR (DU) dated 9-10-2001 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section (2A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication.

Whether the action of the management of Regional Centre for Military Airworthiness, Nashik in not reinstating/regularising the employment of Shri Kishore Khanderao Jadhav with effect from 10-9-2000 is legal and justified ? If not what relief the workman concerned is entitled to ?

2. Workman Jadhav vide Statement of Claim (Exhibit-6) averred that he was employed in the service as casual labour and that he was discharging work of cleaning, sweeping of roads, removal of wild grass, desalting, dislodging of open surface drains etc. at the residential estate of Research and Development Department of Regional Centre for Military Airworthiness at Ojhar Township Nashik. It is contended workman was in the service from 1-4-87 and that he was continued. However he has been terminated illegally from 10th September 2000 for which the workman approached ALC (C) Mumbai who in turn, tried Conciliation but failed. Therefore workman contended to direct the management to reinstate/regularise him in service, with full back wages.

3. Record shows management though received notice vide acknowledgement (Exhibit-4) none appeared on its behalf nor put Written Statement though sufficient time given. Therefore, the workman was directed to file affidavit in support of his claim and that he has filed affidavit to that effect vide (Exhibit-8) reiterating the recitals in the Statement of Claim which has gone unchallenged. Therefore, relying on the sworn testimony I find proper to direct the management to reinstate the workman Jadhav in service and pay him back wages from 10-9-2000 and hence the order :

### ORDER

The action of the management of Regional Centre for Military Airworthiness, Nashik in not reinstating/regularising the employment of Sh. Kishore Khanderao Jadhav w.e.f. 10-9-2000 is not legal and justified. Management is directed to reinstate the workman in service with full back wages.

S. N. SAUNDANKAR, Presiding Officer

नई दिल्ली, 30 जनवरी, 2003

का.आ. 672.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) को धारा 17 के अनुसरण में, केन्द्रीय सरकार डाक विभाग के प्रबंधन के संबंध में नियोजकों

और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, धनबाद के पंचाट (संघर्ष संख्या 101/98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-01-2003 को प्राप्त हुआ था।

[सं.एल-40012/140/96-आई.आर. (डी.यू.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th January, 2003

S. O. 672.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby publishes the award (Ref. No. 101/98) of the Central Government Industrial Tribunal/Labour Court No. 2, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Deptt. of Posts, Patna and their workman, which was received by the Central Government on 28-1-2003.

[No. L-40012/140/96-IR (D.U.)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (NO. 2) AT  
DHANBAD

#### PRESENT :

Shri B. Biswas  
Presiding Officer

In the matter of an Industrial Dispute under  
Section 10 (1) (d) of the I. D. Act, 1947

REFERENCE NO. 101 OF 1998

PARTIES : Employers in relation to the manage-  
ment of Deptt. of Posts, Patna and  
their workman.

#### APPEARANCES :

On behalf of the workman : None.  
On behalf of the employers : None.  
State : Jharkhand Industry : Post

Dated, Dhanbad, the 30th December, 2002

#### ORDER

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10 (1) (d) of the I. D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-40012/140/96-IR (DU), dated, the 12th March, 1998.

350 GI/2003—22

#### SCHEDULE

"Whether the action of the Management of Postal Department in terminating the services of Sh. Anil Kumar Singh, E. D. Post master, Nadpur Branch Post Office, is legal and justified? If not, to what relief the workman is entitled?"

2. In this reference neither the concerned workman nor his representative appeared. The management side also did not appear before this Tribunal. It is seen from the record that the instant reference was received by this Tribunal on 7-4-98 and since then it is pending for disposal. Registered notices and show cause notices were issued to the workman/union as well as to the management but inspite of the issuance of notices they failed to turn up. In terms of Rule 10 B of the I. D. Central Rules, 1957 submission of W.S. by the concerned workman within 15 days is a mandatory one. The concerned workman not only violated the said provision of the Rules but also did not consider necessary to give any response to the notices issued by this Tribunal. In natural course the question which will arise is what will be the fate of the reference made by the Ministry for its disposal. The reference is made on the basis of dispute raised by the concerned workman/union. Naturally, responsibility rests with the concerned workman/union to assist the Court to dispose of the reference in issue on merit. In view of the decision reported in 2002 (94) FLR 624 it will not be just and proper to pass 'No dispute' Award when both the parties remain absent. There is also no scope to answer the reference on merit in absence of any W. S. and available documents. There is no dispute to hold that when any reference is made it is expected to be disposed of on merit but when the parties do not take any step or do not consider even to file W. S. such expectation to dispose of the reference on merit comes to an end. It is not expected that for years together the Court will pursue the matter sue moto with the expectations for appearance of the workman inspite of issuance of registered notices. As per I. D. Act the workman expecting under provisions of Section 2A is debarred from raising any industrial disputes. The disputes are mainly raised by the Union for their workman. These unions inspite of receiving notices did not care to appear before the Court for the interest of the workman and as a result they have been deprived of getting any justice. Untill and unless the attitude of the union is changed I consider that this uncalled for situation will persist. Definitely it is

the duty of the Court to dispose of the reference on merit but it depends on the cooperation of both sides. Here the record will clearly expose that sufficient opportunities had been given to the workman/union but yielded no result. This attitude shows clearly that the workman side is not interested to proceed with the hearing of the case for disposal on merit.

Under the facts and circumstances, I also do not find any sufficient reason to drag on the case for an indefinitely period. Accordingly as there is no scope to dispose of the reference in question on merit, the same is closed.

B. BISWAS, Presiding Officer

नई दिल्ली, 30 जनवरी, 2003

का.आ. 673:— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार भाकरा ब्यास मैनेजमेंट बोर्ड, रोपर के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट (संदर्भ संख्या आई. डी. 178/91) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-1-2003 को प्राप्त हुआ था।

[सं. एल-42012/45/91-आई.आर. (डी.यू.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th January, 2003

S.O. 673:—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. ID 178/91) of the Central Government Industrial Tribunal/Labour Court, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Bhakra Beas Management Board, Ropar and their workmen, which was received by the Central Government on 28-1-2003.

[No. L-42012/45/91-IR(DU)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-  
CUM-LABOUR-COURT, CHANDIGARH

Shri S.M. GOEL Presiding Officer  
Case No. ID 178/91

Shri Amarjeet Singh S/o Sh. Makhan Singh  
C/o Sh. R. K. Singh Parmar, Qtr. No.35-G,  
Nangal Township, Distt. Ropar-140124.

.....Applicant

V/S

Chief Engineer (Generation)  
Bhakra Beas Management Board,  
Nangal Township Distt. Ropar-140124

.. Respondent

#### REPRESENTATIVES :

For the Workman : Shri R.K. Singh Parmar

For the management : Shri Sukhwinder Singh

#### AWARD

(Passed on 20-12-2002).

The Central Government. Ministry of Labour vide Notification No. L42012/45/91 I.R. (D.U.) dated 19th November, 1991 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the Chief Engineer (Generation), Bhakra Beas Management Board, Nangal Township in terminating the services of Shri Amarjeet Singh S/o Shri Sukhdeo Singh unskilled mazdoor, w.e.f. Sept. 1989 is justified? If not, what relief he is entitled to?”

2. In view of the amicable settlement between the parties in Lok Adalat the reference is returned as settled. Central Government be informed.

#### CHANDIGARH

Dated : 20-12-2002.

S. M. GOEL, Presiding Officer

नई दिल्ली, 30 जनवरी, 2003

का. आ. 674:— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मिलोटोरो फार्म, अम्बाला केन्द्र के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट (संदर्भ संख्या 193/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-01-2003 को प्राप्त हुआ था।

[सं. एल-14012/5/2000-आई.आर. (डी.यू.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th January, 2003

S.O. 674:—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award

(Ref. No. 193/2000) of the Central Government Industrial Tribunal/Labour Court, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Military Farm, Ambala Cantt. and their workmen, which was received by the Central Government on 28-1-2003.

[No. L-14012/5/2000-IR(DU)]  
KULDIP RAI VERMA, Desk Officer

### ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, CHANDIGARH  
SHRI S. M. GOEL, Presiding Officer  
Case No. ID 193/2000

Sh. Balbir Singh, House, No.139, Lal Kurti Bazar, Ambala Cantt. (Haryana) 133001.

....Applicant

V/S

Officer Incharge, Military Farm.,  
Ambala Cantt. (Haryana) 133001.

....Respondent

### REPRESENTATIVES :

For the Workman : Shri Madan Mohan  
For the Management : Shri K. K. Thakur

### AWARD

(Passed on 20-12-2002)

The Central Government Ministry of Labour vide Notification No. L-14012/5/2000/IR(DU) dated 31st May, 2000 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Military Farm, Ambala Cantt. in terminating the services of Sh. Balbir Singh w.e.f. 17/11/98 is legal and justified? If not, to what relief the workman is entitled?"

2. In view of the amicable settlement between the parties in Lok Adalat the reference is returned as settled. Central Government be informed.

CHANDIGARH.

Dated : 20-12-2002

S. M. GOEL, Presiding Officer

नई दिल्ली, 30 जनवरी, 2003

का. आ. 675.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार कमानिंग ऑफिसर, 23 मोला बाकद भण्डार, 56 ए. पो. बी. के प्रबंधन के संबंध नियोजकों और

उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट (संदर्भ संख्या आई. डी. नं. 102/96) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-1-2003 को प्राप्त हुआ था।

[सं. एल-14011/1/96-आई.आर. (डो.यू.)]  
कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th January, 2003

S.O. 675.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I. D. No. 102/96) of the Central Government Industrial Tribunal/Labour Court, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Commanding Officer, 23 Field Ammunition Depot C/o 56 APO and their workmen, which was received by the Central Government on 28-1-2003

[No. L-14011/1/96-IR (DU)]  
KULDIP RAI VERMA, Desk Officer

### ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, CHANDIGARH  
SHRI S. M. GOEL, Presiding Officer

Case No. I. D. 102/96

The General Secretary, Ordinance Civilian Karamchhari Sangh, Bhartiya Mazdoor Sangh, Civil Lines, G. T. Road, Jalandhar (Pb.)

..Applicant

V/s

The Commanding Officer,  
23, Field Ammunition Depot,  
C/o 56, APO

..Respondent

### REPRESENTATIVES :

For the Workman : Sh. Subhash Tatwar  
For the management : Sh. K. K. Thakur

### AWARD

(Passed on 17-1-2003)

The Central Govt. Ministry of Labour vide Notification No. L-14011/1/96-IR (DU) dated 29-10-1996 has referred the following dispute to this Tribunal for adjudication :

"Whether the demand of the Ordinance Civilian Karamchhari Sangh, Jalandhar as contained in charter dt. 12-12-94 is legal and justified? If so, what relief the workmen are entitled to?"

2. I have gone through the entire case file. In the reference sent by the Ministry of Labour the Appropriate Govt. has referred a demand of the Ordinance Civilian Karamchahi Sangh, Jalandhar as contained in charter dated 12-12-94 to know as to whether their demands are legal and justified. The Appropriate Govt. has not sent along with the reference any demand charter dated 12-12-94. Therefore no Award can be given in the absence of aforesaid documents which have not been submitted by either of the parties in this Tribunal. The reference is also of ambiguous nature and it is not specific under the framework of law. The reference is, therefore, returned unanswered in view of the aforesaid circumstances. The workman may also approach the Appropriate Govt. for sending to this Tribunal another reference under the provisions of law. Central Govt. be informed.

Chandigarh

Dated : 17-1-2003

S. M. GOEL, Presiding Officer

नई दिल्ली, 30 जनवरी, 2003

का. आ. 676.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार सी. सुपरिस्टेन्डेंट पोस्ट ऑफिस, चंबा (एच. पी.) के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाद (संदर्भ संख्या आई. डी. 160/94) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-1-2003 को प्राप्त हुआ था।

[सं. एल-40012/130/93-आई.आर. (डी.यु.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th January, 2003

S.O. 676.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref No. ID 160/94) of the Central Government Industrial Tribunal/Labour Court, Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Sr. Supdt. of Post Offices, Chamba (HP) and their workman, which was received by the Central Government 28-1-2003.

[No. L-40012/130/93-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL-  
CUM-LABOUR COURT, CHANDIGARH

Presiding Officer : Shri S.M. Goel

Case No. I.D. 160/94

Sh. Parkash Chand C/o Sh. S.D. Aggarwal

H. No. 3115/38D, Chandigarh

.....Applicant

V/s

Sr. Superintendent of Post Offices,

Chamba Division, Chamba (H.P)-176310.

.....Respondent

REPRESENTATIVES

For the workman : None

For the management : Sh. Joginder Singh

AWARD

(Passed on 21-1-2003)

The Central Govt. Ministry of Labour vide Notification No. L-40012/130/93-IR. (D.O.) dated 14th November 1994 has referred the following dispute to this Tribunal for adjudication:

"Whether action of Superintendent of Post Offices, Chamba Division, Chamba in terminating the services of Shri Parkash Chand who was EDEPM Rathiya w.e.f. 18-2-93, is legally just and valid? If not, then to what relief the workman is entitled to?"

2. None appeared on behalf of the workman despite notice. It appears that workman is not interested to pursue with the present reference. In view of the above, the present reference is returned to the Central Govt. for want of prosecution. Central Govt. be informed.

Chandigarh

Dated : 21-1-2003

S. M. GOEL, Presiding Officer

नई दिल्ली, 30 जनवरी, 2003

का. आ. 677.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार मिलिटरी इंजिनियरिंग सर्विस के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निहित औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नयागढ़ के पंचाद (संदर्भ संख्या सी.जी.आई.-डी. 98/2002) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-1-2003 को प्राप्त हुआ था।

[सं. एल-14011/4/94-आई.आर. (डी.यु.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th January, 2003

S.O. 677.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No.



CGIT 98/2002) of the Central Government Industrial Tribunal/Labour Court, Nagpur now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Military Engineering Service and their workman, which was received by the Central Government on 28-1-2003.

[No. L-14011/4/94-IR(DU)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT : SHRI B.G. SAXENA, PRESIDING  
OFFICER

REFERENCE NO. CGIT 98/2002

THE GARRISON ENGINEER

AND

MILITARY ENGINEERING EMPLOYEES  
UNION

#### AWARD

The Central Government, Ministry of Labour, New Delhi by exercising the powers conferred by Clause (d) of Sub-Section (1) and Sub-Section 2(A) of Section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-14011/4/94-IR(DU) dt. 26-08-96 on following schedule :—

#### SCHEDULE

"Whether the action of the Management of Garrison Engineer, Military Engineering Services, Kamptee, Distt. Nagpur, in neglecting the direction of the ALC(C), Nagpur and holding Election on 03-02-94 in contravention of the procedures mentioned under the provisions of I.D. Act and I.D.(C) Rules, 1957 is justified? If not, to what relief the Union is entitled?"

This reference was sent to CGIT, Jabalpur in September, 1996 as CGIT, Nagpur was not in existence in the year 1996. The file was received from CGIT, Jabalpur in the month of August, 2002. The case was fixed for 30-09-02 for filing Statement of Claim by the workman. On 30-09-02 the application was moved by Anil Dhok, Shakha Sachiv, MES Employees Union, Mumbai that he wants another date to submit the claim. This matter relates to Military Engineering Service, Kamptee, Nagpur. Nobody turned up from the side of the Union of the workman to contest the case. No Statement of Claim has been filed by the union of the workman. On 30-09-02 the case was adjourned to 14-11-02 for filing Statement of Claim. Management representative was absent on this date. On 14-11-02

the case was again adjourned to 10-12-02. On this date both the parties absented.

The case was again adjourned to 06-01-03. Today i.e. 06-01-03 also both the parties are absent. It shows that neither the workman's Union is interested in submitting the claim nor the management is interested in contesting the case. As both the parties are absent and no Statement of Claim has been filed in this case, the reference is disposed of for want of prosecution.

#### ORDER

The union of the Military Engineering Service Employees has not submitted any Statement of Claim and the management of MES also did not contest the case. The reference is disposed of for want of prosecution.

B.G. SAXENA, Presiding Officer

नई दिल्ली, 30 जनवरी, 2003

का.आ. 678.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार डाक विभाग के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, धनबाद के पंचाट (संदर्भ संख्या 85/1998) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-1-2003 को प्राप्त हुआ था।

[सं. एल-40012/148/96-आई.आर. (डी.यू.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th January, 2003

S.O. 678—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. 95/98) of the Central Government Industrial Tribunal/Labour Court, No. 2, Dhanbad now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Postal Deptt. and their workman, which was received by the Central Government on 28-1-2003.

[No. L-40012/148/96-IR(DU)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL (NO. 2) AT  
DHANBAD.

PRESENT :

Shri B. Biswas, Presiding Officer

In the matter of an Industrial Dispute under Section 10(1)(d) of the I.D. Act, 1947.

## REFERENCE NO. 95 OF 1998

**PARTIES :** Employers in relation of the management of Postal Deptt. Patna and their workman.

**APPEARANCES :**

On behalf of the workman : Shri Birendra Prasad,  
The concerned workman.

On behalf of the employers : Shri D.K. Verma,  
Advocate.

State : Jharkhand Industry : Posts and Telegraphs.  
Dated, Dhanbad, the 3rd January 2003.

**AWARD**

The Govt. of India, Ministry of Labour, in exercise of the powers conferred on them under Section 10(1)(d) of the I.D. Act, 1947 has referred the following dispute to this Tribunal for adjudication vide their Order No. L-40012/148/96-I.R.(DU) dated, the 12th March, 1998.

**SCHEDULE**

"Whether the action of the management of postal Department in terminating the services of Shri Birendra Prasad, EDMC, Kachhiawan Branch Post Office is legal and justified? If not, to what relief the workman is entitled?"

2. The case of the concerned workman according to his W. Statement in brief is as follows :—

He submitted that he was appointed by the management as Extra Departmental Mail Carrier of Kachhiawan Post Office with effect from 15-3-92 and worked there till 17-12-94. He submitted that during this period he worked for more than 240 days in a calendar year. He alleged that inspite of his rendering services to the management as E.D.M. they without giving any notice U/s. 25F of the I.D. Act and without paying any compensation terminated him from his service with effect from 17-12-94. He alleged that the management illegally, arbitrarily violating the principle of natural justice terminated him from his service. He disclosed that after termination from his service he submitted representation to the management for his reinstatement but as the management did not consider his prayer he raised an industrial dispute before the ALC (C) which ultimately resulted reference to this Tribunal for Award.

3. Management on the contrary after filing W.S. cum-rejoinder have denied all the claims and allegations which the concerned workman asserted in his W.S. They submitted that the Govt. of India introduced Extra Department Agent system in the

year 1954. The object underlying the scheme was a judicious blend of economy and efficiency incatering to postal needs of the rural communities living in remote areas. For this purpose the Postal department as per Extra Departmental Agents (Conduct and Service) Rules, 1964 enters into a contract with the person who is selected and takes over the agency. One of the conditions for getting such an agency is that the person concerned must have adequate means of livelihood. The maximum work load for EDSPM/EDBPM/EDDA/EDMC varies from 2 hours to 5 hours a day and against such work instead of salary like regular employees they get allowances as per rules and according to work load in rural post office. They submitted that unique system in the rural post office is that the persons working as EDBPM/EDDA/SDMC can substitute a person selected by them to work in the post office at his place under his own risk and responsibilities in case the incumbent goes on leave or he goes on deputation to E.D. post or short time vacancies of postman and Gr.D etc. During the period the substituted man get the allowances and not pay as admissible as per rules. He has no legal status and cannot be treated at par with a daily rated mazdoor or casual worker. They submitted that the workman concerned was not appointed by any competent authority of the postal department. In fact the father of the workman concerned Sri Bijoy Mahato was an Extra Departmental Mail Carrier. He applied in writing for officiating in short term vacancy in the capacity of Extra departmental branch Post Master and in postman cadre and appointed his son i.e. the concerned workman as his substitute to work as extra department mail carrier. Later on said Sri Bijoy Mahato was officiating as Extra Departmental branch post Master against leave vacancy several occasions his services were terminated from the officiating arrangement and every time he was ordered to join his own post of E D M E Kachhiawan but he did not join his post and remained absent unauthorisedly and allowed his son i.e. the concerned workman to continue as his substitute without prior approval of the S.D.I.P. Nilsa. As such he did not work in authorised manner as E.D.M.C. for the period in question. They submitted that Sri Bijoy Mahato was retired from his officiating post under the Post Master, Biharshariff on 17-12-94 and after being relieved he joined his own post of E.D.M.C. and that being the position his substitute i.e. the concerned workman was terminated. The said termination was nothing but non-renewal of the temporary arrangement. They submitted that in view of that position there is no scope to say that either the concerned workman was terminated from service or he was retrenched within the meaning of Section 2(00) of the I.D. Act. and for

which question of giving compensation or issuance of notice U/s 25F of the I.D. Act did not arise at all.

4. In view of the facts and circumstances the management submitted that as the concerned workman is not entitled to get any relief his prayer to pass Award should be rejected.

5. The points to be decided in this reference are :—

“Whether the action of the management of Postal Department in terminating the services of Sri Birendra Prasad i. e. the concerned workman E. D. M. C. Kachhiawan Branch Post Office is legal and justified? If not, to what relief the concerned workman is entitled?”

### DECISION WITH REASONS

6. It is seen from the record that the concerned workman did not adduce any evidence in order to substantiate his claim which he asserted in his W. S. Accordingly, management also did not adduce any evidence. However, though the parties declined to adduce evidence they argued the case.

7. Now let me consider how far the claim of the concerned workman stands on cogent footing and if he is entitled to get relief according to his prayer. The claim of the concerned workman is that he was appointed as E. D. M. C. of Kachhiawan Branch Post Office by the management with effect from 15-3-92. It is his specific allegation that the management terminated him from his service with effect from 17-12-94 without giving him any notice and paying him any compensation U/s. 25F of the I. D. Act though he rendered continuous service for more than 240 days in a year. He alleged that his termination from service was illegal, arbitrary and against the principle of natural justice.

8. On the contrary I find quite a different picture from the submission of the management they submitted that Govt. of India in the year 1854 introduced Extra Department Agent system to cater the postal needs of the rural communities. For this purpose the Postal department as per Extra Departmental Agents (Conduct and Service) Rules 1964, enters into a contract with the competent persons to take over the agency of E. D. S. P. M/ E. D. B. P. M./E. D. D. A./E. D. M. C. They submitted that as a part of the said contract the person who is selected to discharge the function of EDBPM/EDDA/E DMC is allowed to substitute a person to work in his place under his own risk and responsibilities if he goes on leave or he goes on deputation to E. D. Post or short time vacancies of postman and Gr. D. etc. The condition for engagement of

substitute was that his engagement will automatically terminated the moment that E. D. person joins to his original post. They further submitted that these E. D. person are neither their regular employees nor they get salaries against the work done by them. They only get allowances as per nature and pressure of the work. It is their contention that Bijoy Mahato originally was engaged as E. D. M. C. at Kachhiawan Branch Post Office. During his work there he was selected to act as officiating extra departmental branch postman and postman cadre and for which he appointed the concerned workman who is his son to discharge his function as Extra Departmental Mail carrier. They disclosed further that after the term was over when said Bijoy Mahato joined to his original post i. e. E. D. M. C. concerned workman was discharged from his work. They disclosed that the concerned workman was a substitute worker and neither he worked against any permanent vacancy nor any salary was given to him like regular employee. His service condition was actually regulated by Extra Departmental Agents (Conduct and Service) Rules, 1964. Accordingly such stopping of work neither amounts to termination nor retrenchment as per Sec. 2 (40) of the I. D. Act and for which there was no scope to issue notice and to pay compensation to him as per Sec. 25F of the I. D. Act.

9. Considering the submissions of both sides there is no dispute to hold that the concerned workman was engaged to discharge his function as E. D. M. C. with effect from 15-3-92 at Kachhiawan Branch Post Office. There is no dispute to hold that service condition of E. D. M. C. is regulated by the Extra Department Agent system which was introduced as far back as in the year 1854 with a view to cater postal needs of the rural communities. It is seen from the submission of the management that the father of the concerned workman was engaged as E. D. M. C. at Kachhiawan Branch Post Office under the scheme by the management and he as per provision of the said scheme recommended the name of his son i. e. the concerned workman to discharge the function of E. D. M. C. during the period of his absence in course of his discharging the duties of E. D. B. P. M. and in postman cadre in the officiating capacity. Considering the fact disclosed in the W. S. it transpires that the concerned workman remained completely silent in respect of this fact in question. No evidence is forthcoming on the part of the concerned workman if he was selected as E. D. M. C. directly by the management. On the contrary from the document which the concerned workman relied on as Annexure W/3 shows clearly that he was engaged as substitute of his father Bijoy Mahato

to discharge the function of E.D.M.C. It further transpires that on recommendation of Bijoy Mahato the original E.D.M.C. his another son, Braj Kishore Prasad was engaged to discharge the function of E.D.M.C. in place of the concerned workman. It is the specific contention of the management that as per the said scheme it is the person who is originally appointed as Agent can recommend the name of another person as his substitute to discharge his function during the period of his absence. This shows clearly that such engagement is absolutely temporary in nature and not against any permanent vacancy. The concerned workman has failed to show that his engagement was on casual basis and he used to draw wages particularly when the management emphatically submitted relying on the extra departmental Agent (Conduct and service) Rules 1964 that an E.D.M.C. is entitled to draw allowances for the work done by him. From the submission of the management it further transpires that the concerned workman was stopped to discharge his function as E.D.M.C. the moment his father assumed his duties as E.D.M.C. From the submission of the management it transpires clearly that the concerned workman being a substitute of his father started working as E.D.M.C. A person with such status cannot be considered as a regular workman and for which the management did not commit any illegality by not issuing any notice and paying any compensation to him U/S 25F of the I. D. Act. The concerned workman had got ample scope to substantiate his claim but inspite of getting opportunity he has failed to avail the same. After careful consideration of all the facts and circumstances, I hold that there is no merit in the claim of the workman and for which he is not entitled to get any relief according to his prayer.

In the result, the following Award is rendered:—

"The action of the management of postal Department in terminating the services of Shri Bijendra Prasad EDMC, Kachhiawan Branch Post Office is legal and justified. Consequently, the concerned workman is not entitled to get any relief."

B. BISWAS, Presiding Officer

नई दिल्ली, 30 जनवरी, 2003

का. आ. 679 :— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार विवेक सचिव सेंटर, मुम्बई के प्रबंधक के

संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में, निर्विष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण, नागपुर के पंचाट (संदर्भ संख्या सी.जी.आई.टी. 189/2000) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-1-2003 को प्राप्त हुआ था।

[सं. एल-42012/20/96-आई.आर. (डी.यू.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th January, 2003

S. O. 679 .—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT : 189/2000) of the Central Government Industrial Tribunal/Labour Court, Nagpur now as shown in the Annexure in the Industrial Dispute between the employees in relation to the management of Weavers Service Centre, Bombay and their workman, which was received by the Central Government on 28-1-2003.

[No. L-42012/20/96-IR (DU)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT  
INDUSTRIAL TRIBUNAL, NAGPUR

PRESENT : Shri B. G. Saxena, Presiding Officer

REFERENCE NO. CGIT : 189/2000

The Director, Weavers Service Centre

AND

Shri Sidharath Bagde

#### AWARD

The Central Government, Ministry of Labour, New Delhi by exercising the powers conferred by Clause (d) of Sub-section (1) and Sub-section 2(A) of Section 10 of the Industrial Dispute Act, 1947 has referred this dispute for adjudication vide order No. L-42012/20/96-IR (DU) dt. 23-5-97 on following schedule.

#### SCHEDULE

"Whether the action of the Director, Weavers Service Centre, Ministry of Textile, Bombay in terminating the services of their workman, Shri Sidharath Bagde, a purely temporary person/peon w.e.f. 1-10-1994 is legal, proper and justified? If not, to what relief the workman is entitled?"

This reference was sent to CGIT, Jabalpur in May, 97. This file remained pending at CGIT, Jabalpur upto January, 2001. On 2-3-2001 the

workman Sidharath Bagde submitted Statement of Claim in this Court and further proceedings started in this reference.

The workman Sidharath Bagde has stated in his Statement of Claim that he was appointed w.e.f. 21-9-93 as Peon for 90 days by the management of Weavers Service Centre, Civil Lines, Nagpur. He was given breaks in the service from time to time. He was paid Rs. 750/- per month as wages. His service was terminated w.e.f. 01-10-94 afternoon and had completed more than 240 days. His termination was illegal. He claimed reinstatement with backwages.

The management has submitted Written Statement through Deputy Director, S.C. Chaware. It is mentioned in the W.S. that the appointment was purely temporary for 89 days. He was paid fixed pay Rs. 750. He was appointed temporary because the regular peon who was working in the office of Assistant Director Incharge, Weavers Service Centre, Nagpur was temporary transferred to Indore. Thus the workman was aware that his appointment is purely temporary. He is not entitled to any relief. It is also mentioned that the Weavers service Centre is not an industry.

The workman has not submitted any document in support of his claim. The workman Sidharath Bagde submitted his affidavit. The management counsel did not cross examine him. Management also did not produce any oral evidence.

Both the parties have submitted Written Arguments. The management has submitted Office Memorandum No. 22011/3/75-Establishment(D) dt. 22-10-1975 and the Department of personal and Training Office Memorandum No. 28036/8/87-Establishment(D) dt. 30-3-88 showing that such an appointment will not bestow any right for regularisation in service. The above document has been submitted with the argument.

In the Statement of Claim and in the affidavit dt. 18-9-01 the workman has himself mentioned that he was appointed as peon for 90 days w.e.f. 21-9-93. He was further appointed for 90 days. 5 (five) days break was given in his service from 30-12-93 to 3-1-94. His affidavit therefore shows that did not work continuously for 240 days. His Statement of Claim also shows that his appointment was for 90 days from 21-9-93. Thus he has no basis for claiming continuance in his service. His appointment was purely temporary.

The Written Statement submitted by Management also shows that he was appointed because the regular peon who was working in the office of Assistant Director Incharge, Weavers Service Centre was

transferred to Indore. Sidharath Bagde was therefore appointed temporarily.

The workman Sidharath Bagde has not submitted any document to show that he had worked continuously for 240 days prior to the date of his termination i.e. 30-09-94. The claimant had to lead evidence on this point to show that he had worked for 240 days in the year preceding his termination. The filing of affidavit by the workman can not be regarded as sufficient evidence. No proof of receipt of salary or wages for 240 days has been filed in this Court.

In 2002(93) FLR, 179 The Range Forest Officer and S.T. Hadimani, the Hon'ble Supreme Court has held that the onus to prove that the workman had worked for more than 240 days rested upon the workman. Claimant had to lead evidence to show that he had worked for 240 days. Filing of affidavit by the workman can not be regarded as sufficient evidence to come to the conclusion that the workman had in fact worked for 240 days in a year.

In view of the above facts and circumstances, the action of the Director, Weavers Service Centre, Ministry of Textile, Bombay in terminating the service of Sidharath Bagde a purely temporary peon w.e.f. 01-10-94 is legal, proper and justified. There is no illegality in the order of the Director of Weavers Service Centre.

### ORDER

The action of the Director, Weavers Service Centre, Ministry of Textile, Bombay in terminating the service of Sidharath Bagde a purely temporary person/peon w.e.f. 01-10-94 is legal, proper and justified. The workman is not entitled to any relief claimed by him.

The reference is answered accordingly.

Date: 15-1-2003

B. G. SAXENA, Presiding Officer

नई दिल्ली, 30 जनवरी, 2003

का.आ. 680 — औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रिय सरकार नेशनल ग्रॉस सोडस एण्ड वेजीटेबल डेवलपमेंट बोर्ड के प्रबंधन के संबद्ध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रिय सरकार औद्योगिक अधिकरण, चण्डीगढ़ के पंचाट (संदर्भ संख्या आई. डी. 63/96) को प्रकाशित करती है जो केन्द्रिय सरकार को 28-1-2003 को प्राप्त हुआ था।

[सं. एल-42012/53/95-आई.आर. (डी. यू.)]  
कुलेदीप राय वर्मा, ईस्क अधिकारी  
1991-11-01 को उपरोक्त एल.आई. नं. 42012/53/95-आई.आर. (डी. यू.)

New Delhi, the 30th January, 2003

S.O. 680:— In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. ID 63/96) of the Central Government Industrial Tribunal/Labour Court Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of National Oil Seeds and Vegetable Oil Development Board, Gurgaon, and their workman, which was received by the Central Government on 28-1-2003.

[No. L-42012/53/95-IR(DU)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

CENTRAL GOVT. INDUSTRIAL TRIBUNAL  
CUM-LABOUR COURT CHANDIGARH

PRESIDING OFFICER : SHRI S.M. GOEL  
CASE NO. ID 63/96

Shri Bhagwan son of Shri Bhakhatawar Resident of  
Village Makrani District Bhiwani.

.... Applicant

Versus

Executive Director, National Oil Seeds and Vegetable  
Oil Development Board, Plot No. 86 Sector-18,  
Gurgaon.

.... Respondent

#### APPEARANCES

For the Workman      Shri Bahadur Singh  
For the Management    Shri R.K. Sharma

#### AWARD

(PASSED ON 3-1-2003)

Central Govt. vide notification No. L. 42012/53/95-IR(DU) dated 27th of June, 1996 has referred the following dispute to this Tribunal for adjudication:

“Whether the action of the management of National Oil Seeds and Vegetable Oil Development Board, Gurgaon in terminating the services of Shri Bhagwan is just, fair and legal? If not, to what relief the workman is entitled to?”

2. The applicant in the claim statement has pleaded that he was appointed on the post of peon-cum-chowkidar on daily wages on 14-9-1992 and remained up to 8-11-1993 and he was paid @ Rs. 1472/- per month. It is further pleaded that a show cause notice was issued to him on 4-11-1993 and detailed reply was submitted by the applicant to the show cause notice and his services were terminated by the management on 8-11-1993 even though he was present on duty on 9-11-1993. The applicant again approached his duty incharge on 10-11-1993

but he was not allowed to perform his duties on that date also. It is pleaded by the applicant that the services of the applicant were terminated by the management in utter violation of Section 25-F, G & H of the I.D. Act, 1947. Thus the applicant has prayed that he be reinstated in service with full back-wages and other attendant benefits.

3. The management in written statement has taken the preliminary objection that the management is not an industry and the I.D. Act is not applicable on the management. On merits it was pleaded by the management that the applicant was engaged purely on functional need basis for casual nature of work. He was paid on the basis of number of days for which he worked with the management. It is further pleaded that supervisor of the applicant reported that his work and conduct was not satisfactory and he was also found involved in two theft cases. The applicant was also involved in stealing a wall clock from the office and on enquiry he was found to be involved in this theft. It is also pleaded that the applicant was rightly disengaged on 8-11-1993 and there was no occasion for the applicant to visit the office on 9-11-1993. It is further averred that the applicant was found to be surplus as per Internal Work study unit and thus there is no irregularity in the disengagement of the applicant and it is prayed that the reference be rejected.

4. Replication was also filed reiterating the facts as claimed in the claim statement.

5. In evidence the applicant filed his own affidavit as Ex.W1 and documents Ex.W2 to W11. The management in rebuttal produced Shri R. S. Kuneel as MW1 who filed his affidavit Ex. M1 and document Ex.M2. Both the parties have also filed their respective written arguments which I have extensively perused and have also heard oral arguments of the learned counsel for the parties.

6. The learned representative of the workman has argued that no enquiry was conducted against the workman and no notice or retrenchment compensation was given to the workman at the time of termination of his service although he had completed more than 240 days of service in one calendar year. On the other hand, the learned counsel for the management has argued that the department of the management is not an ‘industry’ under the I.D. Act, 1947 and the applicant is not a workman and I.D. Act 1947 is not applicable in the case in hand. In support of his argument he has relied on the case law reported in 1997 (3) RSJ 215 Physical Research Lab Vs. K.G. Sharma and also the case decided by this Court Ram Dulare Vs. Central Soil and Water

Conservation Research Institute. The learned counsel for the management has also cited the case law reported in 2001(2) RSJ 132 State of Gujarat Vs. Peatmsingh Narsingh Parmar. It is further argued that the service conditions of the applicant were governed by the specific set of rules and, therefore, the applicant being not a workman is not entitled to any relief from this Tribunal. I have carefully gone through the rival contentions of the respective parties.

7. The first question to be decided in the case is whether the establishment of the department is an 'Industry' or not under the I. D. Act 1947. The learned counsel for the workman has referred me to the functions being performed by the management. The National Oil seeds and Vegetable Oils Development Board is also performing the functions of marketing. It is agreed that the Board is no doubt carrying out research work in oil seeds but it is also marketing the seeds and thus covered under the Apex Court Judgement in Bangalore Water Supply and Sewage Board as it satisfies the human needs. I have gone through the contention of the learned counsel for the workman. It is admitted case of the parties and is also revealed from the functions of the department that it is also involved in marketing of the oil seeds and it is not only carrying out the functions like development of oil seeds, imparting of technical advice and recommending, financial and other assistance for production and development of adequate quantity of breeds seeds and of course of improving the marketing of oil seeds, produce of oil seeds. Thus to my mind, when the department is also doing the marketing it comes within the ambit of 'industry' as defined under the I. D. Act 1947 and is fully covered by the Judgement of the Hon'ble Supreme Court in Bangalore Water Supply Case referred above. The Award passed by this Tribunal in Ram Dulare's Case is of no help to the management as there was no marketing activities performed by the management in the said case and only research activities were performed by the management in that case. Thus taking into consideration the activities of the management I hold that the department is an industry and the applicant is workman under the I. D. Act 1947.

8. The next point has been argued by the counsel for the applicant that the applicant had completed more than 240 days of continuous service in one calander year and the management had terminated his service without any notice or payment of retrenchment compensation which

is violation of Section 25-F of the I. D. Act 1947. The management has not denied that the workman had completed 240 days of service in one calander year. It is also admitted case of the management that no retrenchment compensation was paid to him at the time of termination and his service were dispensed with as he was found involved in a theft case for which no enquiry had been conducted by the management. In my considered opinion, it was incumbent upon the management to pay him retrenchment compensation if the management did not require his services. and notice of one month or pay in lieu of notice should have been given. But the management admittedly has not complied with the mandatory provisions of Section 25-F of the I. D. Act 1947 and the workman is entitled to reinstatement in the service. However it would be open to the management to disengage his service in compliance with the provisions of the I. D. Act 1947, if they do not require his services any more. Regarding the back wages, the applicant is awarded Rs. 10000/- as compensation in lieu of backwages. The reference is answered accordingly. Central Govt. be informed.

Chandigarh S. M. GOEL, Presiding Officer  
3-1-2003

नई दिल्ली, 30 जनवरी, 2003

का. आ. 681.— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) का धारा 17 के अनुसरण में, केन्द्रीय सरकार मिलोटेरी फार्म, अम्बाला कैंट के प्रबंधन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण चण्डीगढ़ के पंचाट (संदर्भ संख्या आई. डी. 253/2क) को प्रकाशित करती है, जो केन्द्रीय सरकार को 28-1-2003 को प्राप्त हुआ था।

[सं. एन-14012/4/2000-आई. आर. (डो. यू. )]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 30th January, 2003

S. O. 681.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. I. D. 253/2k) of the Central Government Industrial Tribunal/Labour Court Chandigarh now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Military Farm, Ambala Cantt. and their workman, which was received by the Central Government on 28-1-2003.

[No. L-14012/4/2000-IR (DU)]

KULDIP RAI VERMA, Desk Officer



ANNEXURE

CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL-CUM-LABOUR COURT,  
CHANDIGARH.

PRESIDING OFFICER SHRI S. M. GOEL

Case No. ID 253/2k

Sh. Nasib Singh S/o Sh. Kura Ram

Vill & PO-Sambalkha.

Ambala (Haryana) 133001

Applicant.

V/S

Officer Incharge, Military Farm

Ambala Cantt (Haryana) 133001.

Respondent.

REPRESENTATIVES

For the Workman : Shri Madan Mohan

For the Management : Shri K. K. Thakur

AWARD

(Passed on 20-12-2002)

The Central Govt. Ministry of Labour vide Notification No L-14012/4/2000/IR (DU) dated 2nd June 2000 has referred the following dispute to this Tribunal for adjudication :

"Whether the action of the management of Military Farm, Ambala Cantt in terminating the services of Sh. Nasib Singh S/o Sh. Kura Ram w.e.f. 17-11-98 is legal and justified ? If not, to what relief the workman is entitled ?"

2. In view of the amicable settlement the parties in Lok Adalat the reference is returned as settled. Central Govt. be informed.

CHANDIGARH. S.M. GOEL, Presiding Officer  
DATED : 20-12-2002.

नई दिल्ली, 3 फरवरी, 2003

का.आ. 682.—औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार रीजनल प्रोविडेंट फंड कमिशनर के प्रवर्धन के संबंध नियोजकों और उनके कर्मचारों के बीच, अनुबंध में निदिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2 मुम्बई के पंचाट (सदस्य संख्या सी.जी.आई.टी.-2/33 ऑफ 96) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-2-2003 को प्राप्त हुआ था।

[च. एन. 42011/34/95-आई आर (डी.यू.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 3rd February, 2003

S.O. 682.—In pursuance of Section 17 of the Industrial Dispute Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-2/33 of 96) of the Central Government Industrial Tribunal/Labour Court No. 2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of R.P.F.C. and their workman, which was received by the Central Government on 3-2-2003.

[No. L-42011/34/95-IR(DU)]

KULDIP RAI VERMA, Desk Officer

ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL  
TRIBUNAL NO. II, MUMBAI

PRESENT :

S. N. Saundankar, Presiding Officer

Reference No. CGIT-2/33 of 1996

Employers in relation to the management of Regional Provident Fund Commissioner (I), Maharashtra and Goa Region.

(1) The Regional Provident Fund Commissioner (I) Maharashtra & Goa, 341, Bhavishya Nidhi Bhavan, Bandra (East), Mumbai-400051.

(2) The Regional Provident Fund Commissioner Sub-Regional Office, 5th Floor, Junta House Annex, Panaji, Goa-403001.

AND

Their Workmen (Shri G. S. Kubal)

The General Secretary, Gomantak Mazdoor Sangh, C/o Shri G. S. Kubal, T-14, Vrindavan Chambers, Patto, Panjim, Goa-403001.

APPEARANCES :

For the Employer : Shri R. K. Shetty, Advocate.

For the Workmen : Mr. P. Gaonkar, Representative.

Mumbai, Dated 31st December, 2002

AWARD

By Interim Award dtd. 5-10-2001 this Tribunal held that the domestic inquiry conducted against the workman by the management was against the Principles of Natural Justice and fair play consequently management was given an opportunity to lead evidence to justify its action of dismissal of workman Kubal from the service w.e.f. 4-4-94. Facts of the case in short are as under :

G. S. Kubal while working as Head Clerk/Section Supervisor in the office of Regional Provident Fund Commissioner, Panji Goa was issued chargesheet dtd. 29-6-93 alleging on 22-6-93 between 3-6 p.m. he alongwith other employee-colleagues wrongfully confined officer incharge Mr. P. M. Mathew in his chamber and threw files, paper weights and eggs on him and threatened and abused in vulgar language in order to pressurise him to withdraw the Memo dtd. 21-6-93 issued to Kubal thereby behaved in a manner unbefitting of an employee of the Provident Fund Organisation violating



the provisions of Rule 3(1)(iii) of the Central Civil Service (Conduct) Rules 1964 which are mutatis mutandis applicable to the Staff of Employees Provident Fund Organisation by virtue of regulation 27 of the Employees Provident Fund (Staff and Conditions of Service) Regulations, 1962. The inquiry officer found the charges proved therefore the Disciplinary Authority by the order dtd. 30-3-94 dismissed the workman Kubal from service w.e.f. 4-4-94.

2. Since the Inquiry held vitiated as stated above, to justify the action of the management of dismissal of workman filed affidavit of UDC/Caretaker Mr. James Clement in lieu of Examination-in-Chief (Exhibit-56) and Mr. P. M. Mathew has also filed his affidavit (Exhibit-57) and the management closed its oral evidence vide purshis (Exhibit-59). In rebuttal, workman Kubal however did not lead oral evidence vide purshis (Exhibit-60).

3. Management filed written submissions (Exhibit-61) alongwith copies of rulings and workmen (Exhibit-62). On perusing the record as a whole, written submissions and hearing both the sides, I record my findings on the issues which are to be adjudicated by this Tribunal in this Award for the reasons mentioned below :—

Issues	Findings
4. Whether the action of the management in dismissing the service of Kubal is legal and justified?	No
5. If not, to what relief the workman is entitled to?	As per order below.

#### REASONS

4. At the outset it is to be noted that the management had conducted domestic inquiry against the workman however the same was held vitiated as Principles of Natural Justice and fair play were not observed. Therefore in view of Section 11A of the Industrial Disputes Act and in the light of the observations of Hon'ble Apex Court in Neeta Kapilish V/s. Presiding Officer, Labour Court, 1999 ICLR 219 this Tribunal on giving opportunity to lead evidence to prove the charges has to scrutinise the evidence and adjudicate upon the basis of such fresh evidence as to whether the action of the management is legal and justified.

5. To justify the action of the management of dismissal of workman Kubal from service w.e.f. 4-4-94 relies on the oral evidence of Officer-in-Charge Mr. P. M. Mathew and caretaker Mr. Clement James and the documents filed on record. Management's action is based on the proved charges as reproduced in Para 1. Mr. Mathew stated that on 22-6-93 when he was in his office at Goa workman and his colleagues entering in the office shouted/made slogans which according to him was rioting/Gherao. He disclosed that he reported the said incident to the Regional Provident Fund Commissioner on 22-6-93 and 24-6-93 vide Annexures A & B and complained to police vide Annexure 'C'. Care taker Mr. James amply corroborated the said testimony of Mr. Mathew. According to him he saw the workman and the office bearers of the union in the Chamber of Mr. Mathew making slogans, shouting and behaving disorderly. By way of suggestions to both the witnesses workman pointed out that he was in the Chamber of the Officer-in-Charge Mr. Mathew for the meeting thereby the presence of the workman in the Chamber of Mr. Mathew has undoubtedly been proved. So far making slogans and shouting is concerned, workman denied the same. As stated above, workman did not lead oral evidence to rebut the same and that he relied on record. On perusal of the record it is seen Mr. Mathew on the very day i.e. 22-6-93 reported the incident to his superior and the police which found place on shouting and making slogans. It is seen on the strength of the complaint of Mr. Mathew F.I.R. with list (Ex-57) was lodged with the police Panel of the offence under Sections 143, 149, 342 of the I.P.C. and that this FIR mentions on the gherao and uttering abusive words. It is not that Mr. Mathew sneak on slogans and shouting for the first time, before this Tribunal.

6. By way of cross-examination Mr. Mathew stated that except shouting slogans nothing had happened and disclosed that workman was then sitting in his Chamber. He admittedly did not see the person who threw eggs and admitted that workman had not thrown eggs. Had Mr. Mathew tendency

to exaggerate the things and to depose by suppressing material facts, he could have by way of cross-examination disclosed as recited in the complaint however that has not happened. So far the evidence of Care-taker Mr. James is concerned, he admits in cross-examination that he was elected Vice President of the Union in the year 1993 i.e. subsequent to the suspension of the workman. He disclosed that after the election in 1992 wherein workman was elected as General Secretary of the Union he had resigned. The Learned Representative Mr. Gaonkar at this juncture submitted that Mr. James being on strain terms deposed false against the workman. However from the admissions and the evidence as a whole, fact remains that the workman alongwith his office bearers 15—20 entering in the Chamber of Mr. Mathew shouted and made slogans thereby behaved in a manner unbefitting of an employee. This misbehaviour is misconduct as defined in 'P. Ramanathan Aiyar's Law Lexicon Reprint Edition 1987 pg. 821 which reads as follows :—

"The term misconduct implies a wrongful intention and not a mere error judgment. Misconduct is not necessarily the same thing as conduct involving moral turpitude. The word misconduct is a relative term, and has to be construed with reference to the subject-matter and the context wherein the term occurs, having regards to the scope of the Act or statute which is being construed. Misconduct literally means wrong conduct or improper conduct. In usual parlance misconduct means a transgression of some established and definite rule of action, where no discretion is left, except what necessity may demand and carelessness, negligence and unskillfulness are transgressions of some established but indefinite, rule of action, where some discretion is necessarily left to the actor. Misconduct is a violation of definite law; carelessness or abuse of discretion under an indefinite law. Misconduct is a forbidden act; carelessness, a forbidden quality of an act and is necessarily indefinite. Misconduct in office may be defined as unlawful behaviour or neglect by a public officer, by which the rights of a party have been affected."

7. On perusal of the record it is seen by the letter dated 30-11-93 filed with list (Exhibit-61) workman prayed for apology on the incident occurred on 22-6-93 in the Chamber of Mr. Mathew and had requested for withdrawal of the F.I.R. and that admittedly prosecution instituted by the management was withdrawn. This letter of pardon amply supports the statement of Mr. Mathew on Gherao and shouting slogans.

8. Now point arises whether this sort of misbehaviour under the service regulations applicable to workman amounts to misconduct attracting the major punishment of dismissal as has been imposed to the workman. Admittedly workman was General Secretary of the Employees Union registered under the Trade Unions Act. It is relevant to note the observations of their Lordships of the Bombay High Court in Blue Star Ltd. Vs Blue Star Workers Union and Ors. 1996 I CLR. pg. 673 :

"Trade Union activities performed by the office bearers of the union are solely for the benefit and welfare of the workmen of the bank and not connected with the banking institution itself or the members of the public, whose interest the banks are intended to serve. It will therefore be a fundamental mistake to allow confusion to prevail and deem the duties rendered by the office bearers of the union as part of the duties rendered by the bank."

Further Their Lordships observed :—

"Trade Union activity has won universal recognition and it has a twin objective that is safeguarding the interests of the workers ushering the industrial peace. Even so, its secondary role or character cannot get effacted. For whatever reasons the management may have deemed it fit or conducive to grant duty relief at an anterior point of time, the legal status of that act is only that of a concession and not a matter pertaining to the condition of service and further observed that :

"Trade Unionism is recognised all over the world but that does not mean that the office bearer of

the union can claim as of right that he can do union work during office hours."

Workman who was admittedly General Secretary of the union and that according to him to put forth the grievances of the staff he had gone to see the office incharge in his Chamber, he was so there first as a servant and then as a Union leader and therefore he was duty bound to behave with the officer concerned, properly. He was there because of the office and that absolute devotion, diligence, integrity, honesty and disciplined behaviour needs to be preserved by the employee and in particular the Provident Fund office where the public funds are involved. If that is not observed, the confidence of the public depositor would be impaired. From this point of view, it was expected from the workmen union leader to behave in a manner becoming of an employee and certainly not the misbehaviour as has committed.

9. It is necessary to see whether the punishment of dismissal imposed upon the workman is justified in the context of the misbehaviour referred to above. It is well settled position that penalty imposed must be commensurate with the gravity of the offence charged. Discretion conferred by Section 11A on the Tribunal is to be exercised considering the case as a whole. The Learned Counsel Shri Shetty for the management submits that the Industrial adjudicators should be very careful before it interferes with the orders made by the management in discharge of their Managerial functions. He has relied on the decision in Syndicate Bank Ltd. Vs. Its Workmen 1966 1 LLJ pg. 440.

10. The Learned Representative Mr. Gaonkar submitted that the alleged language disclose a threatening posture it is the subjective conclusion of the person who hears the language because voice modulation of each person in the society differs and indiscreet, improper, abusive language may show lack of culture but merely the use of alleged slogans and shouting on one occasion unconnected with any subsequent positive action and not preceded by any blame-worthy conduct cannot permit an extreme penalty of dismissal from service. Before imposing the penalty past record is necessary to be seen. Management has not pointed out any adverse past against the workman. In this context it is necessary to see whether the punishment of dismissal is proportionate to the proved misconduct. Their Lordships of Madras High Court in S. Rajulu Vs. Management of Autofood Pvt. Ltd., Auroville and Anr. 2001 LLR 1207 in para 11 observed:

"indiscreet use of language cannot be the basis of an order of dismissal. No doubt, the language employed by the petitioner is unparliamentary in the instant case: but the gravity of charge of using the same has to be viewed in the light of the surrounding circumstances, also keeping in view the action of the management, which had driven the worker to such a situation. Therefore, the mere use of such language cannot itself be, per se, the basis of an order of dismissal. If that be so, the Labour Court having been vested with the power to interfere with the quantum of punishment such inflicted upon the petitioner and having failed to exercise such power to interfere with the quantum of punishment imposed upon the petitioner."

11. It is in the evidence of Mr. Mathew, the other office bearers who entered alongwith the workmen in his Chamber namely Mr. Cardozo, Mr. Pai Angle, Mr. Gurudas Pillanekar, Mr. Laxmikant G. Naik, Shri Ajith G. Naik were punished with withholding of two increments with cumulative effect. Mr. Gaonkar at this juncture submits that workman alone was dismissed and that he was singled out is the discrimination of the management. He has pointed out that if the workman is alone singled out for the severe punishment of dismissal is denial of justice to him. He has relied on the decision in Tata Engineering & Locomotive Co. Ltd. Vs. Jitendra Prasad Singh and Anr. 2001 LLR 80.

12. It is seen from the record management dismissed the workman for the misbehaviour and on leading the evidence, it is proved that workman 'misbehaved'. However the penalty imposed upon him on going through the record as a whole and the observations of Their Lordships in the cases referred to above, to my view, is disproportionate and in this context action of the management of dismissal is not at all

legal and justified and that punishment of withholding of two increments with cumulative effect would be adequate and in view of the position discussed supra, he is not entitled to back wages. Consequently issues are answered accordingly and hence the order:—

#### ORDER

The action of the Regional Provident Fund Commissioner (I) Maharashtra and Goa Region, Bombay and the Regional Provident Fund Commissioner, Sub Divisional office, Panjim, Goa of imposing the punishment of dismissal from service of the workman Shri G. S. Kabul is harsh and disproportionate and therefore not legal and justified and that punishment of withholding of two increments with cumulative effect is imposed upon him instead punishment of dismissal. Consequently management is directed to reinstate the workman in service.

S. N. SAUNDANKAR, Presiding Officer

नई दिल्ली, 3 फरवरी, 2003

का.आ. 683 :— औद्योगिक विवाद अधिनियम, 1947 (1947 का 14) की धारा 17 के अनुसरण में, केन्द्रीय सरकार नेहरू साइन्स सेंटर के प्रबंधन के संबंध निरोजकों और उनके कर्मचारों के बीच, अनुबंध में निर्दिष्ट औद्योगिक विवाद में केन्द्रीय सरकार औद्योगिक अधिकरण नं. 2, मुम्बई के पंचाट (संदर्भ संख्या सी.जी.आई.टी.-2/74 ऑफ 98) को प्रकाशित करती है, जो केन्द्रीय सरकार को 3-2-2003 को प्राप्त हुआ था।

[सं.एल-42011/32/98-आई.आर. (डो.यू.)]

कुलदीप राय वर्मा, डेस्क अधिकारी

New Delhi, the 3rd February, 2003

S.O. 683.—In pursuance of Section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the award (Ref. No. CGIT-2/74 of 98) of the Central Government Industrial Tribunal/Labour Court No. 2, Mumbai now as shown in the Annexure in the Industrial Dispute between the employers in relation to the management of Nehru Science Centre and their workman, which was received by the Central Government on 3-2-2003.

[No. L-42011/32/98-IR(DU)]

KULDIP RAI VERMA, Desk Officer

#### ANNEXURE

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL NO. II, MUMBAI

PRESENT:

S. N. Saundankar, Presiding Officer.

Reference No. CGIT-2/74 of 1998

Employers in relation to the Management of Director, Nehru Science Centre

Director, Nehru Science Centre,

Dr. E. Moses, Road, Worli, Mumbai-400 018.

AND

Their Workmen  
Vice President,  
Sarva Shramik Sangh.  
C/o Y. V. Chavan,

"Shramik", 31, Lokmanya Tilak  
Vasahat Road, No. 3, Dadar,  
Mumbai 400 014.

#### APPEARANCES:

For the Employer: Mr. L. L. D'Souza, Representative.

For the Workmen: Mr. J. G. Chavan, Representative.

Mumbai dated 24th December, 2002

#### AWARD

The Government of India Ministry of Labour by its Order No. L-42014/32/98/IR(4DU) dated 11-6-98 in exercise of the powers conferred by clause (d) of sub-section (1) and sub-section 2(A) of Section 10 of the Industrial Disputes Act, 1947 have referred the following dispute to this Tribunal for adjudication:

Whether the action of the management of M/s. Nehru Science Centre in terminating the services of Ms. Sangita Chandrakant Yadav, Mr. Chandrakant Maruti Sonawane, Mr. Bhagwan Jadhav, Ms. Ningamma Shivmurti Birajdar, Mr. Vasant Gamare, Mr. Mohan Bhandari and Mr. Babu Bhandari w.e.f. 31-5-1996 is legal and justified? If not, what relief the workmen are entitled to?

2. Vide Statement of Claim (Exhibit-6) Sarva Shramik Sanghatana averred that Nehru Science Centre (hereinafter referred to as NSC) is one of the units of the National Council of Science Museum controlled and aided by the Ministry of Human Resource Development, Government of India for the activities of science, communication and that this centre is in existence for last 20 years and has been engaging class IV workers like sweepers, malis, helpers (in workshop) and security guards on so called contract basis alongwith clerical, technical and other employees. It is pleaded that the centre is getting grant for the expenses to run the said centre besides the Government grant-in-aid and that it earns by way of charging various fees for gate-entry from visitors to see the science museum, science exhibitions, seminars, hiring the campus for film shooting and other private industries and that for these activities, the centre employees more than 80 permanent employees and 20 temporary workers and about 40 workers on so called contract basis. It is contended workers under reference in all 7 engaged by the centre through their unregistered contractors, they worked more than 10 years in the centre in the garden for cutting trees and other continuous nature of job keeping it. It is pleaded the centre had assigned work of gardening on so called contract basis to M/s. Green Thumbs Co., M/s. Hursh Constructions and M/s. Bombay Intelligence and Security Service Ltd. who were paying the workers under reference wages Rs. 30 to 40 per day. It is pleaded M/s. Hursh constructions issued service certificate to the workers under reference to the effect they worked with said contractor from 1-6-89 to 31-5-95 in so far as four workers and from 1994-1995 for other three workers. It is contended prior to Hursh Constructions M/s. Green Thumbs had issued service certificates to workman Sangita on 28-7-96 as she worked with them at Nehru Science Centre at Worli from 1985-89 and thereafter M/s. Bombay Intelligence Security Service. It is contended after termination of contract of M/s. Hursh Constructions on 31-5-95 the workers under reference were informed that they will be absorbed in regular employment of the Centre and relying on this assurance, they waited at the gate but instead employing them on regular basis one new contractor M/s. Bombay Intelligence Security Services in 1996 refused to take them on work. It is contended contractors were not paying wages as per the Minimum Wages Act and it is revealed that the contractors had not obtained licence under the Regulation

and Abolition of Contract Act 1970 and therefore they were sham contractors and in the absence of such a licence, the NSC becomes the employer. It is pleaded though management had perennial work, workers under reference were retrenched without giving them notice, retrenchment compensation under the provisions of the Industrial Disputes Act and that their retrenchment is illegal, therefore, it is contended management be directed to reinstate the workers under reference with full back wages.

3. Management NSC resisted the claim of union by filing Written Statement (Exhibit-10) contending that it is an educational institution and an autonomous body functioning in the Department of Culture, Ministry of Human Resource Development, Government of India and it is a non-profit making organisations. It is not engaged in an activity which could be called business, trade and manufacture neither from the nature of this organisation nor from the character of the activity carried out by it, an undertaking analogous to business or trade. It is not engaged in commercial/industrial activity and therefore, it is not an economic venture or commercial enterprise. It is an institution discharging government/sovereign functions and a domestic enterprise within the commercial enterprise. Therefore, it is not an 'industry' under section 2(j) of the Industrial Disputes Act though it may carry out activity of education in a non formal manner with the help of its employees as it lacks that element which would make it an organisation carrying on an activity which could be said to be analogous to the carrying on trade or business since it does not produce and distribute services which are intended or meant for satisfying human wants or needs as ordinarily understood. Consequently it is contended the reference is not maintainable. It is further pleaded that the workers under reference are not employees of the management NSC and that they were employees of the independent contractors engaged by the management for carrying out certain operations as mentioned in the contracts entered into between the Centre and the contractors, therefore, there is no employer employee relationship between the centre and the workers under reference. Consequently reference deserves to be dismissed. It is pleaded that reference is totally bad in law for non-joinder of the necessary parties, that is contractors. It is pleaded the reference is not maintainable as it is to be adjudicated by the competent authority under the provisions of Contract Labour (Regulation and Abolition) Act and not by the Industrial Tribunal. It is averred the workers under reference being the employees of the contractor and not the NSC, question of discontinuation/termination/retrenchment by the centre does not arise. For all these reasons the management prayed for dismissal of the claim in limine being devoid of substance.

4. By Rejoinder (Exhibit-13) union reiterated the recitals in the Statement of Claim denying the averments in the Written Statement contending that the workmen under reference worked in NSC, Worli under direct supervision of its officers and that contractor was only for name sake. consequently the workers under reference become direct employees of the management and since their termination being in contravention of the provisions of the Industrial Disputes Act, is illegal.

5. On the basis of the rival pleadings my Learned Predecessor framed issues (Exhibit-15) and in that context General Secretary of NCS Employees Union Mr. P. G. Kelkar filed affidavit in lieu of Examination-in-Chief (Exhibit-18), Employee of the NSC (Welder) Mr. S. K. Rane (Exhibit-19), workman viz. Sangita Yadav (Exhibit-20), Mr. M. N. Sakpal (Exhibit-33) and employee of NSC Mr. Suresh Shinde (Ex-36) filed affidavits on behalf of the union and Union

closed oral evidence vide purshis (Exhibit-38). In rebuttal Section Officer (General) Dilip Phadke (Exhibit-39) and Technical Assistant-B Mr. Sabapathi (Exhibit-42) filed affidavits in lieu of Examination-in-Chief on behalf of the management and closed oral evidence vide purshis (Exhibit-45).

6. Union filed written submissions (Exhibit-47/53) and the rulings (Exhibit-54) and the management (Ex-51/55) copies of rulings with list (Exhibit-52). On hearing the Learned Representatives for both sides at length and going through the record as a whole and the written submissions, I record my findings on the following issues for the reasons stated below:—

Issues	Findings
1. Whether M/s. Nehru Science Centre is an 'industry' within the meaning of Section 2(j) of the Industrial Disputes Act of 1947?	Yes.
2. Whether the reference is not tenable as the disputes raised is covered under the Contract Labour (Regulation and Abolition) Act?	Does not Survive.
2A. Whether the second party workmen are employees of the First party i.e. Nehru Science Centre?	No.
3. Whether the action of the Management of Nehru Science Centre in terminating the services of workmen mentioned in the schedule w.e.f. 31-5-96 is legal and justified?	Since the workers under reference were not employed by the NSC question of their termination by Centre does not arise.
4. If not, what relief the workmen are entitled to?	As per order below.

#### REASONS

7. At the threshold the Learned Representative for the management Mr. D'Souza inviting attention of this Tribunal to the voluminous record and the written submissions in the light of the rulings urged with force that NSC is an educational institution, an autonomous body functioning under the Ministry of Culture, Government of India and it is a non profit making organisation. He submits NSC is not engaged in an activity which could be called business, trade or manufacture neither from the nature of organisation nor from the character of the activity carried out by it can be said to be an undertaking analogous to business or trade. According to him NSC is engaged in commercial/industrial activity and therefore it cannot be described as an economic venture or commercial enterprise and that NSC is an institution discharging governmental/sovereign functions and a domestic enterprise within the commercial enterprise, therefore it is not an 'industry' under Section 2(j) of the Industrial Disputes Act even though it may carry out activity of imparting education in a non formal manner with the help of its employees audit lacks that element which can be said

to be analogous to the carrying on a trade or business in as much as it does not produce and distribute services which are intended or meant to satisfy human wants or needs as ordinarily understood. Therefore he submits management being not an 'industry' reference is not maintainable. On the other hand, the Learned Representative Mr. Chavan submitted with force that NSC is an 'industry' as it charges fees from the visitors, conducts computer classes by charging fees, takes lumpsum fees by allowing its premises to be used by private parties/institutes, takes lumpsum amount from canteen contractor as licence fees, there is an entry fee in case of exhibition and that centre gets donation from private parties and multinational corporations and that the centre sells models to other organisations and thereby earns huge money which activities are certainly commercial activities and hence it is an 'industry'.

8. Industry as defined under Section 2(j) of the Industrial Disputes Act is as follows:—

(a) "Where there is (i) systematic activity (ii) organised by the co-operation between employer and employees (the direct and substantial element is chimerical) (iii) for production and/or distribution of goods and services calculated to satisfy human wants and wishes (not spiritual or religious but inclusive of material things or services geared to celestial bliss i.e. making on a large scale prasad or food) prima facie there is an 'industry' in that enterprise.

(b) Absence of profit motive or gainful objective is irrelevant, be the venture in the public, joint, private or other sector.

(c) The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer-employee relations.

(d) If the organisation is a trade or business it does not cease to be one because of philanthropy animating the undertaking.

9. In Bangalore Water Supply and Sewerage Board V/s. A. Rajappa & Ors. (AIR 1978 SC 548) Their Lordships laid down three tests for determining whether a particular entity is an 'industry' or not:

(a) An establishment is an 'industry' if it is engaged in (i) systematic activity (ii) organised by co-operation between employer and employee (iii) for the production and/or distribution of goods and services calculated to satisfy human wants and wishes.

(b) Absence of profit motive or gainful object is irrelevant.

(c) The true focus is functional and the decisive test is the nature of the activity with special emphasis on the employer-employee relations."

10. Mr. Chavan Representative for the union filed paper cuttings of the advertisements published for charging entry fees. Section Officer Mr. Phadke in his cross-examination para 10 clearly admitted that centre charges entry fees for exhibitions etc. and that it sells models, gives advertisement for calling the tenders for its different branches for different

jobs, centre gives plants to other centres on rent, it also engages activities, provides services and thereby earns money. At this juncture the Learned Representative Mr. D'Souza pointed out that NSC is a Research Institute and not an industry relying on Physical Research Laboratory V/s. K. G. Sharma 1997 I CLR 1116 wherein Their Lordships observed :

"Physical Research Laboratory—Institution under Government of India's Department of Space—carrying on activity of Research not for benefit or use of others—Not engaged in commercial industrial activity is not an 'industry' within the meaning of Section 2(j)."

11. If we look the entire evidence on record in the light of the tests and the observations made by Their Lordships in the decisions relied and filed on record by both the parties, it is seen the NSC is engaging in activity of exhibitions etc. and thereby provides involving co-operation between the centre and the employees. Assuming centre is engaged in activity which does not necessarily make profit, however obviously it does not alter the fact that it employs workers and carrying on systematic activity which provides services from the nature of the centres activities can safely be said to be undertaking analogous to business or trade. It seems to have engaged in commercial industrial activity which can be described as a common venture or commercial enterprise as its object is to produce and distribute services which would satisfy wants and needs of consumer community, students, visitors etc. which fulfil the tests laid down in the ruling referred to above. This Tribunal in the matter of NSC Vs. P. G. Kelkar Reference No. CGIT-2/53/1999 by Award dated 1-10-2002 held that NSC is an industry. On going through the evidence as a whole, in my opinion NSC is an 'industry' as defined under section 2(j) of the Industrial Disputes Act. Consequently issue No. 1 is answered in the affirmative.

12. Once it is clear that the NSC is an industry and consequently reference is maintainable, crucial point crops as to whether the workers under reference are employees of the NSC and further question would arise on their retrenchment. The Learned Representative for the management Mr. D'Souza submits that the dispute sought to be raised by the workman/union can only be adjudicated by the competent authority under the provisions of Contract Labour (Regulation and Abolition) Act and consequently reference is not maintainable. He urged with force that the workers under reference were employees of the contractors and not the management, therefore, terminating their services at the hands of the management does not arise. On the otherhand, the Learned Representative Mr. Chavan urged with force that reference is maintainable and that this tribunal has jurisdiction in width to adjudicate it. He submits

relationship of master and servant is a question of fact which require to be determined on a consideration of all material and relevant circumstances having a bearing on that question relying on State of U.P. and Anr. V/s. A. N. Singh reported in 1964 9 FLR 238. Inviting attention to the application (Exhibit-56) Mr. Chavan submits considering the ratio laid down by Their Lordships of Supreme Court in the recent case of Steel Authority of India Ltd. V/s. National Union Water Front Workers 2001 III CLR pg. 349 the tribunal has jurisdiction in width to see whether the contract is sham and camouflage.

13. The principle which emerges from the authorities relied by both the sides is that the prime facie test for the determination of the relationship between master and servant is the existence of right in the master to supervise and control the work done by the servant not only in the matter of directing what work the servant has to do but also the manner in which he shall do his work and the correct method of approach is to consider whether having regards of the nature of work there was due control and supervision by the employer. In Chintaman Rao V/s. State of M.P. AIR 1958 SC 388 Their Lordships observed —

"There is, therefore, a clearcut distinction between contractor and workman, the identifying mark of latter is that he should be under the control and supervision of the employer in respect of the details of the work."

14. Their Lordships of Supreme Court in recent decision in Steel Authority of India Ltd. pointed out that where contract was found to be sham and nominal, rather a camouflage in which case the contract labour working in the establishment of the principal employer is held in fact and in reality the employee of the principal employer himself. Now let us scrutinise the evidence as to whether the tests is laid down in the decision are fulfilled or otherwise. The tests so far control and supervision of employer is concerned, the General Secretary of the Employees Union Mr. Kelkar in his evidence para 8 stated that the Centre gets the regular type of work done by the workers engaged by contractors viz. (i) M/s. Green Thumps during 1985--1990 (ii) M/s. Hursh Constructions 1991—1995 and (iii) M/s. Bombay Intelligence and Security Services 1995 onwards and added that supervision over this contract labour is done by regular staff of N.S.C. He disclosed that Deputy Director (General) Mr. Chakraborty used to supervise the work of control labour. In cross-examination para 20 Kelkar categorically admitted that wages of the workers must have been paid by the contractors. He has no personal knowledge regarding the

working of the workers after 1990 onwards though disclosed much to that effect in the affidavit. From his evidence it is apparent that the workers under reference were engaged by contractors and that they were paid by the contractors. Witness Rane who is said to be employee of N.S.C. worked as a welder in Grade 'C' and was elected Vice President of Employees Union in the year 1995 disclosed that, workers under reference were working since 1985, they were engaged by M/s. Green Thumps headed by Shri Hemant and thereafter by M/s. Hursh Constructions headed by Dr. Dixit and added that work was of permanent nature. In cross-examination para 8 however this witness Mr. Rane showed ignorance whether the workers were employees of contractors. According to him work of these workers was being supervised by a man from the centre. Worker under reference namely Sangita Yadav stated that as per the instructions given by regular staff of centre she used to carry out the work and that in the year 1995 she alongwith other co-workers under reference were informed through supervisor Shri Santosh that they will be absorbed in the regular services of the centre. Sangita in her cross-examination para 15 admits that contractor used to pay them wages for the work done and that one Baban was Mukadam and that Baban was employee of contractor. Thus according to Sangita it is apparent that they were engaged by the contractors, they were paid by the contractor and that their work was supervised by the persons of contractor. According to Sankpal he was working under contractor Bombay Intelligence Securities India Limited and that he alongwith co-workers was doing the work of sweeping paths, cleaning etc. and that their work was being supervised by Santosh Shetty and Mulani officers of the centre. Suresh Shinde an employee of the Centre working as technician 'B' who said to have been elected as Secretary of the Employees Union in the year 1995 disclosed that the workers under referred in the beginning during 1985 to 1989 were of M/s. Green Thumps and that work was of permanent nature and the cause to absorb them was espoused by them clearly point out that the workers under reference were employees of contractor and that he used to ascertain whether the work carried out by them was as per the contract.

15. Section Officer (General) Mr. Phadke and Technical Assistant 'B' Mr. Sabapati pointed out that the workers under reference were employees of independent contractors and that work of contractors employees was never supervised by the employees of the centre and that the centre had no power or control or supervision over the contractor employees. This evidence has been amply corroborated by the concerned workers Sangita and also find support from the admissions of Rane and Suresh, thereby the

pivotal test goes against the workers under reference which follows in the light of the decisions supra that the workers under reference were not employees of the management N.S.C. and that they were employees of the contractor. Consequently terminating/retranching the services of the workman by the management N.S.C. does not arise. In view of the position, I find no substance in the submission of the Learned Representative for the union, on going through the evidence as a whole and the decisions filed on record.

16. The Learned Representative Mr. D'Souza inviting attention to the Written Statement para 1(c) pointed out that the union by application (Exhibit-56) averred that the agreements with the contractors entered by the centre are camouflage resultantlly the workmen under reference need to be absorbed in the service of the centre. Relying on the decision in Steel Authority of India Limited unions representative Mr. Chavan submitted that the contracts are camouflage and that the workers under reference are infact employees of the centre to all intents and purposes. Union named the contractors and their agencies however not made them party to the reference. Mr. D'Souza submits contractors/agencies are necessary parties though not added, therefore reference is bad for non-joinder of necessary parties. The law as to who are necessary or proper parties to the proceeding is well settled. The necessary party is one without whom no order can be made effectively. The proper party is one in whose absence an effective order can be made, but whose presence is necessary for a complete and final decision on the question involved in the proceeding for which reliance can be had to AIR 1963 SC 786. On going through the record as a whole since workers under reference were not employees of centre and that no issue on the point of non-joinder of necessary party is framed and that on merits, the services of workers were not terminated by Centre, consequently workmen are not entitled to any reliefs. Therefore on the premises point as regards non-joinder of necessary parties, is redundant.

17. The Learned Representative for the union Mr. Chavan inviting attention to application (Exhibit-56) and order passed there on by this Tribunal dated 29-5-2002 submits that the so-called agreements with the contractors entered by the management N.S.C. are camouflage and not genuine and in the light of the decision in Steel Authority of India Limited it is necessary to go into the merits. So far the contracts are concerned according to union itself Centre had assigned work to contractors M/s. Green Thumps Ltd., M/s. Hursh Constructions and M/s. Bombay Intelligence Securities Services Limited. However those were unregistered contractors.



General Secretary Mr. Kelkar nowhere stated that the contractors engaged were unregistered or otherwise. In *Kachara Vahatuk Shramik Sangh V/s. Bombay Municipal Corporation* 1999 II CLR 938(Bom.), *Food Corporation of India Workers Union V/s. Food Corporation of India* 1990 I CLR 829(Gujarat) Their Lordships pointed out where the conditions of registration and licence are not fulfilled the necessary implications would be that workman remained of the principal employer and that contract system can be said to be genuine, only if it is carried on in compliance with the provision of the Contract Labour Act, 1970 and anything contrary thereto would lead to the presumption that the purported contract labour system was merely a device and a sham and introduction of middleman for the purpose of defeating the rights of workers. In the case in hand, role of contractor and contractor alone is since beginning i.e. from the year 1985 as seen from the record as a whole, thereby no scope of presumption otherwise, as urged by Mr. Chavan. Consequently the above said decisions are no avail for the union. The submission of Mr. Chavan in view of the position is devoid of substance. Consequently Issue No. 2 does not survive, and that Issue No. 2A will have to be answered in the negative and the Issue No. 3 to the effect that since the workers under reference were not employees of the management NSC, question of their termination by it does not arise. On this back ground the contention of union that they were retrenched illegally and consequently they are entitled to relief of reinstatement in the service of Centre with consequential monetary benefits, has no substance. Consequently issue No. 4 is answered accordingly and hence the order :—

### ORDER

Since workmen under reference namely, M/s. Sangita Chandrakant Yadav, Mr. Chandrakant Maruti Sonawane, Mr. Bhagwan Jadhav, Ms. Ningamma Shivmurti Birajdar, Mr. Vasant Gamare, Mr. Mohan Bhandari and Mr. Babu Bhandari were not employees of the management Nehru Science Centre question of their termination by it does not arise. Consequently reference being devoid of substance stands dismissed.

S. N. SAUNDANKAR, Presiding Officer

नई दिल्ली, 3 फरवरी, 2003

का. आ. 684.—कर्मचारी राज्य बीमा अधिनियम, 1948. (1948 का 34) की धारा-1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार

एतद्वारा 01 मार्च, 2003 को उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 अध्याय-5 और 6 [धारा-76 की उप धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध उड़ीसा राज्य के निम्न-लिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात् :—

1. बलेश्वर जनपद में रेमुना थाना के अन्तर्गत माधोपुर रसलपुर, नुआपाढी राजस्व गांव ।
2. कटक जनपद में गरुडीझाटिया थाना के अन्तर्गत कपूरसिंह एवं राधादाभोदरपुर राजस्व गांव ।
3. गंजाम जनपद में बरहमपुर तहसील के अन्तर्गत कुकुडाखण्डो राजस्व गांव ।
4. रायगडा जनपद में रायगडा तहसील के अन्तर्गत कोलीगुडा, कोठपेठा, कादम्बरीगुडा, देवदोला एवं कोमटलपेठा राजस्व गांव ।

एवं

5. सुन्दरगढ़ जनपद के अन्तर्गत राउरकेला तहसील के बंकिया एवं कपाठमण्डा तथा पानपेश तहसील के अन्तर्गत सान-नुआगांव एवं चिकटमाटी राजस्व गांव ।

[संख्या एस-38013/9/2003-एस.एस.-1]

संयुक्ता राय, अवर सचिव

New Delhi, the 3rd February, 2003

S.O. 684.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2003 as the date on which the provisions of Chapter IV except Sections 44 and 45 which have already been brought into force) and Chapter V and VI (except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force) of the said Act shall come into force in the following areas in the State of Orissa, namely :

- (i) The areas comprising Revenue Villages of Madhipur, Rasalpur, Nuapadhi under P. S. Remuna in the district of Balasore.
- (ii) The areas comprising Revenue Villages of Kapursingh and Radhadamodarpur under P.S. Garudijhatia in the district of Cuttack.

- (iii) The areas comprising Revenue Village Kukudakhandi under Berhampur Tehsil in the district of Ganjam.
- (iv) The areas comprising Revenue villages of Koliguda, Kothapeta, Kadambariguda, Debadola and Komtalpeta under Rayagada Tahasil in the district of Raygada, and
- (v) The areas comprising of Revenue Villages of Bankia and Kapatmunda under Rourkela Tahasil and San-Nuagaon and Chikatmati under Panposh Tahasil in the district of Sundergarh.

[No. S-38013/9/2003-SS.I]

SANJUKTA RAY, Under Secy.

नई दिल्ली, 5 फरवरी, 2003

का.आ. 685.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 की 34) की धारा 10 की उपधारा (1) के द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार दिनांक 27 मई, 2000 को भारत के राजपत्र के भाग-II, खण्ड 3(ii) में प्रकाशित भारत सरकार के श्रम मंत्रालय की दिनांक 16 मई, 2000 की अधिसूचना सं. का.आ. 1169 में निम्नलिखित संशोधन करते हैं।

उक्त अधिसूचना में “धारा 10 की उप धारा (1) के खण्ड (घ) के अंतर्गत राज्य सरकार द्वारा नियुक्त” शीर्षक के अंतर्गत निम्नलिखित प्रविष्टियाँ प्रतिस्थापित की जाएंगी अर्थात् :

- 22-क मुख्य चिकित्सा अधिकारी निदेशक-क.रा.बी. योजना, उत्तरांचल सरकार, उत्तरांचल, देहरादून।
- 22-ख बीमा चिकित्सा अधिकारी (मुख्यालय) क.रा.बी. योजना, झारखंड सरकार, रांची।
- 22-ग निदेशक, कर्मचारी राज्य बीमा सेवा, श्रम विभाग, छत्तीसगढ़ सरकार रायपुर।

[सं. यू-16012/1/99-सा.सु.-I]

संयुक्ता राय, अवर सचिव

New Delhi, the 5th February, 2003

S.O. 685.—In exercise of the powers conferred by Sub-section (1) of Section 10 of the Emp-

loyees' State Insurance Act, 1948 (34 of 1948), the Central Government hereby makes the following amendments in the notification of the Government of India in the Ministry of Labour No. S.O. 1169, dated the 16th May, 2000 published in the Gazette of India, Part II, Section 3(ii) dated the 27th May, 2000.

In the said notification under the heading “Appointed by the State Government under clause (d) of Sub-Section (1) of Section 10” the following entries shall be inserted, namely :—

22-A Chief Medical Officer|Director—ESI Scheme,  
Government of Uttranchal,  
Uttranchal, Dehradun.

22-B Insurance Medical Officer  
(Headquarter) ESI Scheme.  
Government of Jharkhand,  
Ranchi.

22-C Director, Employees' State Insurance Service,  
Labour Deptt.  
Government of Chatisgarh,  
Raipur.

[No. U-16012/1/99-SS-I]

SANJUKTA RAY, Under Secy.

नई दिल्ली, 6 फरवरी, 2003

का.आ. 686.—जबकि एयरोनॉटिकल डेवलपमेंट एजेंसी (एडीए) बंगलौर, जो कि केन्द्रीय सरकार का प्रतिष्ठान है, ने उपदान संदाय अधिनियम, 1972 (1972 का 39) जिसे इसके पश्चात् उक्त अधिनियम कहा गया है की धारा 5 की उप धारा (1) के अधीन छूट के लिए आवेदन किया है,

और जबकि केन्द्रीय सरकार की राय में उक्त प्रतिष्ठान के कर्मचारियों को मिलने वाले उपदान लाभ उक्त अधिनियम के अधीन प्रदत्त लाभों से कम नहीं है,

अतः अब, उक्त अधिनियम की धारा 5 की उप-धारा (1) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार, एयरोनॉटिकल डेवलपमेंट एजेंसी (एडीए) बंगलौर को इस अधिसूचना के सरकारी राजपत्र में प्रकाशन की तारीख से उक्त अधिनियम के उपबंधों के प्रचालन से छूट प्रदान करती है।

[फा. संख्या एस-42014/1/2001-एसएस-II]

संयुक्ता राय, अवर सचिव

New Delhi, the 6th February, 2003

S.O. 686.—Whereas the Aeronautical Development Agency (ADA) Bangalore an establishment



under control of the Central Government has applied for exemption under sub-section (1) of the Section 5 of the Payment of Gratuity Act, 1972 (39 of 1972) (herein after referred to as the said Act).

And whereas in the opinion of the Central Government the gratuity benefit receivable by the employees of the said establishment are not less favourable than the benefit conferred under the said Act.

Now, therefore, in exercise of the powers conferred by sub-section (1) of Section 5 of the said Act the Central Government hereby exempts the Aeronautical Development Agency (ADA) Bangalore from the operation of the provisions of the said Act from the date of publication of this notification in the Official Gazette.

[F. No. S-42014/1/2001-SS-II]  
SANJUKTA RAY, Under Secy.

नई दिल्ली, 5 फरवरी, 2003

का.आ. 687.—केन्द्रीय सरकार, राजभाषा (संघ के शासकीय प्रयोजनों के लिए प्रयोग) नियम, 1976 के नियम 10 के उप नियम (4) के अनुसरण में एतद्वारा श्रम मंत्रालय के अधीन कर्मचारी भविष्य निधि संगठन के उप क्षेत्रीय कार्यालय, शोलापुर, महाराष्ट्र व उप क्षेत्रीय कार्यालय, गुडगांव, हरियाणा को अधिसूचित करती है।

[फा. सं. ई-11011/1/93-रा. भा.नी. (भाग)]  
के. के. मरवाह, उप सचिव

New Delhi, the 5th February, 2003

S.O. 687.—In pursuance of Sub-rule (4) of the Rule 10 of the Official Language (Use for Official purpose of the Union) Rule, 1976, the Central Government hereby, notifies Sub-Regional Office, Sholapur, Maharashtra and Sub-Regional Office, Gurgaon, Haryana under Employee's Provident Fund Organisation working under the Ministry of Labour.

[F. No. E-11011/1/93-RBN(Pt.)]  
K. K. MARWAH, Dy. Secy.

नई दिल्ली, 7 फरवरी, 2003

का.आ. 688.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2003 की उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4, अध्याय-5 और 6 [धारा-76 की उप धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध तमिलनाडु राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे; अर्थात्—

“कोयम्बतूर जिला में पल्लडम तालुक के गणपतिपालयम, परुवाय, करडीवावी और तिरुपुर तालुक के वी. कल्लिपालयम आदि राजस्व ग्राम”।

[सं. एस-38013/10/2003-एस.एस.-I]

संयुक्ता राय, अवर सचिव

New Delhi, the 7th February, 2003

S.O. 688.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2003 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu namely:

“Areas comprising the Revenue Villages of Ganapathy-palayam, Paruvai, Karadivari of Palladam Taluk and V. Kallipalayam of Tiruppur Taluk in Coimbatore District.”

[No. S-38013/10/2003-SS-I]  
SANJUKTA RAY, Under Secy.

नई दिल्ली, 7 फरवरी, 2003

का.आ. 689.—कर्मचारी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा (3)

द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2003 की उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4, अध्याय-5 और 6 [धारा-76 की उप धारा (1) और धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध तमिलनाडू राज्य के निम्नलिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

“कोयम्बतूर जिला में पल्लडम तालुक के गणपतिपल्लयम्, परुवाय, करडीवावी और तिरुपुर तालुक के वी. कल्लिपालयम आदि राजस्व ग्राम” ।

[सं. एस-38013/10/2003-एस.एस.-I]

संयुक्ता राय, अवसर सचिव

New Delhi, the 7th February, 2003

S.O. 689.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby appoints the 1st March, 2003, as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu, namely:

“Areas comprising the Revenue Villages of Ganapathy-palayam, Paruvai, Karadivavi of Palladam Taluk and V. Kallipalayam of Tiruppur Taluk in Coimbatore District.”

[No. S-38013/10/2003-SS-II]

SANJUKTA RAY, Under Secy.

नई दिल्ली, 11 फरवरी, 2003

क्र.आ. 690.—कर्नाटकी राज्य बीमा अधिनियम, 1948 (1948 का 34) की धारा-1 की उप धारा (3) द्वारा प्रदत्त शक्तियों का प्रयोग करते हुए, केन्द्रीय सरकार एतद्वारा 1 मार्च, 2003 की उस तारीख के रूप में नियत करती है, जिसको उक्त अधिनियम के अध्याय-4 अध्याय-5 और 6 [धारा-76 की उप धारा (1) और

धारा-77, 78, 79 और 81 के सिवाय जो पहले ही प्रवृत्त की जा चुकी है] के उपबन्ध तमिलनाडू राज्य के निम्न लिखित क्षेत्रों में प्रवृत्त होंगे, अर्थात्:—

कारंक्कुडी तालुक के राजस्व गांव:—

1. अन्नरावली
2. पुन्नूर
3. के. नेर्गुणपट्टी
4. कोट्टारी
5. कल्लिपल्लयम्
6. कोविलूर
7. कोट्टेयूर

8. अरियक्कुडी

9. कारंक्कुडी और

कारंक्कुडी नगरपालिका सीमा के अंतर्गत आने वाले क्षेत्रादि ।

10. चेक्कालैक्कोट्टे राजस्व समूह के अंतर्गत आने वाले ..... संतरापुरम् ।
11. मनगिरि चूकनेन्दल राजस्व समूह के अंतर्गत ..... पात्तरकुडी ।
12. कानाडुकात्थन राजस्व समूह के अंतर्गत ..... चेन्नमन्नम् ।
13. देवकोट तालुक के ..... अरवायल ।
14. सिरावयल
15. कुन्नक्कुडी (कुन्नक्कुडी)
16. इलंगुडी राजस्व समूह के ..... तलुकापुर तिरुपतूर के सिवर्गं जिला में 11 ..... आने वाले क्षेत्रादि

[सं. एस-38013/10/2003-एस.एस.-I]

संयुक्ता राय, अवसर सचिव

New Delhi, the 11th February, 2003

S.O. 690.—In exercise of the powers conferred by sub-section (3) of Section 1 of the Employees' State Insurance Act, 1948 (34 of 1948) the Central Government hereby

appoints the 1st March, 2003 as the date on which the provisions of Chapter IV (except Sections 44 and 45 which have already been brought into force) and Chapter V and VI [except sub-section (i) of Section 76 and Sections 77, 78, 79 and 81 which have already been brought into force] of the said Act shall come into force in the following areas in the State of Tamil Nadu namely :

**AREAS COMPRISING THE REVENUE VILLAGES OF**

1. Amaravathi.
2. Pundur.
3. K. Nerpugapatti.
4. Kothari.
5. Kalanivasay.
6. Kavilur.
7. Kottaiyur.
8. Ariyakkudi.

9. Karaikkudi and the areas within the municipal limit of Karaikkudi Municipality.
10. Sankarapuram, falling under Chekkalaikottai revenue group.
11. Patharakudi, falling under Managiri Chukkanendal revenue group.
12. Chettinad, falling under Kanadukathan revenue group of Karaikkudi Taluk.
13. Aravayal of Devakottai Taluk.
14. Siravayal.
15. Kunnakkudi (Kundrakkudi)
16. Thalakkavur, falling under Ilangudi revenue group of Thiruppathur Taluk in Sivagangai District.

[No. S-38013/11/2003-SS-I]  
SANJUKTA RAY, Under Secy.